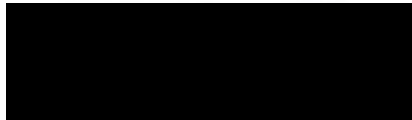




NOTICE OF MEETING

23 September 2024

A MEETING of the CLACKMANNANSHIRE LICENSING BOARD will be held in Council Chambers, Kilncraigs, Alloa, on TUESDAY 1 OCTOBER 2024 AT 9.30 AM.



DALE BELL

Depute Clerk to the Clackmannanshire Licensing Board

	Page No
1. Apologies	--
2. Declarations of Interest	--
Elected Members are reminded of their obligation to declare any financial or non-financial interest which they may have in any item on this agenda in accordance with the Councillors' Code of Conduct. A Declaration of Interest Form should be completed and passed to the Committee Services Officer.	
3. Confirm Minute of Meeting of the Clackmannanshire Licensing Board held on 27 August 2024 (Copy herewith)	03
4. Licensing (Scotland) Act 2005: List of Applications	07
(i) Application for Premises Licence – Premier	09
Application Form and Consultee Responses (Copies herewith)	
Premises: Premier, 32 Harris Court, Alloa FK10 1DD	
Applicant: Yuva Ltd, 35/6 Stenhouse Gardens, Edinburgh EH11 3LS	
Agent: Gordon Emslie, GNE Consultancy	
(ii) Application for Premises Licence – Clackmannan Road Service Station	41
Application form and Consultee Responses (Copies herewith)	
Premises: Alloa Clackmannan Road Service Station, Clackmannan Road, Alloa FK10 1QY	
Applicant: Motor Fuel Ltd, 10 Bricket Road, St Albans, AL1 3JX	
Agent: Andrew Hunter, Harper MacLeod LLP, 45 Gordon Street Glasgow, G1 3PE	

	Page No
(iii) Application for Grant of Personal Licence - Keeley Davis	71
Application Form, Police Scotland Objection and Licensing Standard Officer Representation (Copies herewith)	
(iv) Personal Licence Holder Notification of Relevant Conviction – Zoe Wallace	79
Police Scotland Notification and Licensing Standards Officer Representation (Copies herewith)	
5. Chief Constable’s Report to the Clackmannanshire Licensing Board for the Period 2023-2024 - report by Chief Constable Jo Farrell (Copy herewith).	83
6. AOCB	- -

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 in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA, on TUESDAY 27 AUGUST 2024 at 9.30 am.

PRESENT

Councillor Kenneth Earle (Chair – Via Teams)
Councillor Donald Balsillie
Councillor Martha Benny
Councillor Fiona Law
Councillor Darren Lee (Via Teams)
Councillor Graham Lindsay.

IN ATTENDANCE

Paul Fair, Licensing Standards Officer
Dale Bell, Solicitor, Legal and Governance (Depute Clerk to the Board)
Shaun Carrol, Licensing Paralegal
Lezli-Anne Sharp, Licensing Administrator
Melanie Moore, Committee Services
Gillian White, Committee Services (Minute)

The Chair advised that he had been unable to attend the meeting in-person that morning and would Chair virtually via Teams.

1.0 APOLOGIES

Apologies were received from Councillor William Keogh and Councillor Mark McLuckie.

2.0 DECLARATIONS OF INTEREST

None.

3.0 MINUTES OF MEETINGS OF CLACKMANNANSHIRE LICENSING BOARD HELD ON 21 MAY 2024

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 21 May 2024 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 21 May 2024 were agreed as a correct record and signed by the Chair.

4.0 LICENSING (SCOTLAND) ACT 2005 – VARIATION OF LICENCES (NON-MINOR)

The Chair advised that he would take Items 4i-v together as one item of business as they all related to various stores of the Co-operative Group Food Limited.

- (i)-(v) Premises:** Co-operative Group Food Limited – Various Stores:
- i. 23/25 Main Street, Clackmannan, FK10 4JA
 - ii. 70 Stirling Street, Alva, FK12 5ED
 - iii. 26 Ochil Street, Tullibody, FK10 2PT
 - iv. 44 Tullibody Road, Alloa, FK10 2LX Alloa
 - v. 74 High Street, Tillicoultry, FK13 6AB
- Applicant:** Co-operative Group Food Limited
- Agent:** Lewis Barn, Hill Brown Licensing

Attending

Mr Paul Fair, Licensing Standards Officer (LSO)
Mr Lewis Barn, Hill Brown Licensing

The Board heard representation from the Licensing Standards Officer and from Mr Lewis Barn, Hill Brown Licensing, on behalf Licence Holder. 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 applications for the Variation of Licence (Non-Minor) subject to the conditions set out in Appendix A (page 9) of the Licensing Standards Officer's Report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Donald Balsillie.

Decision

Having considered all the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the applications for the Variation of Licence (Non Minor) subject to the conditions set out in Appendix A (page 9) of the Licensing Standards Officer's Report, namely:

Local Conditions Home Delivery Of Alcohol

1. A written Age Verification Policy (AVP) must be kept and applied to all sales of alcohol for delivery to any place off the premises. This AVP must set out the steps that are to be taken to establish the age of a person attempting to take delivery of alcohol ("the customer") if it appears to the person making delivery of the alcohol that the customer appears to be less than 25 years of age (or such older age as may be specified in the policy).
2. Information must be provided to customers whether online or in store that Alcohol will only be left at the delivery address with a person who can prove that they are over 18 years of age.
3. Premises Licence holders and Premises Managers must ensure that all persons involved in the delivery of alcohol from the premises have received appropriate training in the content and application of the Age Verification Policy to be applied to all deliveries.
4. A record of all persons trained in relation to the Age Verification Policy will be kept on the premises and made available to the Licensing Standards Officer and any Constable of Police Scotland.
5. A copy of the training record referred to in No 4 above should be supplied to delivery agent on completion of the training.
6. Licence holders and Premises Managers will ensure that all persons involved in the delivery of alcohol from the premises have received appropriate training to ensure that deliveries of alcohol are not made to persons who are or appear to be drunk.

7. Licence holders using Royal Mail, a private postal service, a courier service or independent delivery drivers will ensure that an age verified signed for delivery option is utilised that requires any package containing alcohol to be left with an adult over 18 at the specified delivery address and at no other place.
8. The premises licence holder will ensure that records of all alcohol deliveries are retained on the premises and that those records contain the following information, the forename and surname of the purchaser, the delivery address, the quantity and type of alcohol delivered and the purchase price.
9. All records, electronic or written made in relation to the delivery of alcohol will be kept on the premises for at least 12 months and will be made available on demand to a Licensing Standards Officer for the area where the premises are located or to a Constable of Police Scotland.

Action

Depute Clerk to the Board

- (vi) **Premises:** The Inn, Muckhart
Applicant: Lorna Graham, John Gibson and Sons, T/A The Mansfield Arms

Attending

Mr Paul Fair, Licensing Standards Officer (LSO)
Lorna Graham, John Gibson and Sons, T/A The Mansfield Arms (Applicant)

The Board heard representation from the Licensing Standards Officer. Ms Graham did not make a representation. 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 84) of the Licensing Standards Officer's Report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Donald Balsillie.

Decision

Having considered all the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the applications for the Variation of Licence (Non-Minor) subject to the conditions set out in Appendix A (page 84) of the Licensing Standards Officer's Report, namely:

List of Outdoor Drinking Area Licence Conditions

1. Consumption of alcohol in the outdoor drinking is not permitted after 10.00pm. (other times may be agreed in appropriate circumstances).
2. No live or recorded music, live performances or other entertainment is permitted within the outdoor drinking area.
3. 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.
4. In particular staff must take all reasonable steps to prevent shouting, singing and disorderly conduct within the outdoor area.
5. Where the outdoor drinking facility is to be used during the hours of darkness, the licence holder shall ensure that suitable lighting is provided for the convenience and safety of all persons on the premises.

6. Any facility provided for the comfort of patrons such as outdoor heaters must be used and maintained in a safe manner and in accordance with manufacturers' instructions and any other statutory requirements.
7. Where smoking is permitted in the outdoor drinking area, ashtrays or other suitable receptacles will be provided.
8. Where smoking is permitted in the outdoor drinking area or in part of the outdoor area children and young persons will not be permitted access to the outdoor area or to any part of the area where smoking is permitted, or to any part of the outdoor area where second hand smoke may be present.
9. 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 licensed 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.
10. 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 this conditions may relate to such matters as:
 - o Noise;
 - o Conduct of Customers;
 - o Children's and Young Person's Access to the Area;
 - o Permitted hours of use.

Action

Depute Clerk to the Board

Ends: 10:03 am



**Licensing Board
Licensing (Scotland) Act 2005
MEETING: 1 October 2024 at 09:30hrs**

Applicant/ Subject	Type	Comments
Premier, 32 Harris Court	Premises Licence Grant	<p>Application Forms and Consultee Responses (copies attached).</p> <p>The Licensing Board are therefore asked to consider all the information before it and having done so to determine whether to:-</p> <ol style="list-style-type: none"> 1. Grant the licence 2. Grant the licence subject to local conditions 3. Refuse the application
Clackmannan Road Service Station	Premises Licence Grant	<p>Application Forms and Consultee Responses (copies attached).</p> <p>The Licensing Board are therefore asked to consider all the information before it and having done so to determine whether to:-</p> <ol style="list-style-type: none"> 1. Grant the licence 2. Grant the licence subject to local conditions 3. Refuse the application
Keeley Davis	Personal Licence Grant	<p>Application Forms, Police Scotland Objection and LSO representation (copies attached).</p> <p>The Licensing Board are therefore asked to consider all the information before it and having done so to determine whether to:-</p> <ol style="list-style-type: none"> 1. Grant the licence 2. Grant the licence subject to local conditions 3. Refuse the application
Zoe Wallace	Personal Licence Holder Notification of Relevant Conviction	<p>Police Scotland Notification and LSO representation (copies attached).</p> <p>The Licensing Board are therefore asked to consider all the information before it and having done so to determine whether to:-</p> <ol style="list-style-type: none"> 1. Revoke the Personal Licence 2. Suspend the Personal Licence 3. Endorse the Personal Licence 4. Take no action



Licensing (Scotland) Act 2005
Application for a Premises Licence
or Provisional Premises Licence

APPLICANT INFORMATION

Question 1

Name, Address and Postcode of Premises to be Licensed

PREMIER
32 HARRIS COURT
ALLOA.
FK10 1DD

Question 2

Particulars of Applicant

2(a) Where Applicant is an Individual, Provide Full Name, Date and Place of Birth, and Home Address including Postcode.

N/A

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2(b) Where Applicant is a Partnership, please provide Full Name, and Postal Address of Partnership.

N/A

2(c) Where Applicant is a Company, please provide Name, Registered Office And Company Registration Number.

XUVAA LTD

[Redacted]

[Redacted]

COMPANY NO :- SC731296

2(d) Where the Applicant is a Club or Other Body, please provide Full Name, and Postal Address of Club or Other Body.

N/A

2(e) Where Applicant is a Partnership, Company, Club or Other Body, please Provide the Names, Dates and Places of Birth and Home Address of Connected Persons*

ARASU VEERAPPAN

[Redacted]

***Connected Person is defined in section 147(3) of the Licensing (Scotland) Act 2005**

For the Purposes of this Act, a person is, in relation to a partnership, a company, a club or other body (whether incorporated or unincorporated), a connected person if the person-

- (a) in the case of partnership is a partner,
- (b) in the case of a company-
 - (i) is a director, or
 - (ii) has control of the company
- (c) in the case of a club, is an office bearer of the club,
- (d) in any other case, is concerned in the management or control of the body.

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For the Purposes of subsection (3)(b)(ii) and this subsection, a person is taken to have control of a company if-

- (a) any of the directors of the company, or of any other company having control of the company, is accustomed to act in accordance with the person's directions or instructions, or
- (b) the person is entitled to exercise, or to control the exercise of, at least one third of the voting power at any general meeting of the company or of any other company having control of the company.

Question 3

Previous Applications

Has the Applicant been refused a Premises Licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same Premises? ~~Yes/No*~~

If Yes – Provide Full Details

Question 4

Previous Convictions

Has the Applicant or any Connected Person ever been Convicted of a relevant or Foreign Offence (a) ~~Yes/No*~~

If Yes – Provide Full Details

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For the Purpose of this Act, a Conviction for a Relevant Offence of Foreign Offence is to be disregarded if it is Spent of the purpose of the Rehabilitation of Offenders Act 1974

Name & Position (if Applicable)	Date of Convictions or Sentence	Court	Offence	Penalty
NONE	N/A			

- (a) In Addition to any convictions held by the applicant at the time of application, applicant should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

Applicant's Duty to Notify Licensing Board of Convictions

- (1) This section applies where any of the persons specified in subsection (2) is convicted of a relevant or foreign offence during the period beginning with the making of a premises licence application and ending with determination of the application.
- (2) Those persons are-
 - (a) the applicant, and
 - (b) where-
 - (i) the applicant is neither an individual nor a council, or
 - (ii) the premises in respect of which the licence is sought are used wholly or mainly for the purposes of a club.
any connected person.
- (3) The applicant must, no later than one month after the date of the conviction give notice of the conviction to the Licensing Board to which the application was made.
- (4) A notice under subsection (3) must specify-
 - (a) the nature of the offence, and
 - (b) the date of the conviction.

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DESCRIPTION OF PREMISES Licensing (Scotland) Act 2005, section 20(2)(a)

Question 5

Description of Premises (where Application is Submitted by a Member's Club please also complete question 6)

THE PREMISES IS A SMALL GENERAL CONVENIENCE STORE WHICH SELLS GROCERY ITEMS, FRESH FOODS, GENERAL MERCHANDISE AND OFF SALES.
THE PREMISES IS A SINGLE STOREY BUILDING IN HEIGHT WITH THE MAIN FLOOR AREA BEING A CONVENIENCE STORE WHICH INCLUDES PUBLIC ACCESS, STORAGE AND STAFF TOILETS.
THE PREMISES IS LOCATED IN A RESIDENTIAL AREA OF ALLOA.

Question 6

To be completed by Member's Club Only

Do the Club's Constitution and Rules Conform to The requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007

~~Yes~~/~~No~~*

*Delete as appropriate

A Copy of the Club's Constitution & Rules **MUST** Be Included With The Application

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 [REDACTED]* (see note below)

Date 11/7/2024

Capacity AGENT ~~APPLICANT~~/AGENT
(delete as appropriate)

Telephone number and email address of signatory ... [REDACTED]

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I Have Enclosed the Relevant Documents with this Application – Please Tick the Relevant Boxes	
Operating Plan	<input checked="" type="checkbox"/>
Layout Plan	<input checked="" type="checkbox"/>
Planning Certificate	<input checked="" type="checkbox"/>
Building Standards Certificate	<input checked="" type="checkbox"/>
Food Hygiene Certificate	<input checked="" type="checkbox"/>

***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



<u>FOR USE BY THE LICENSING BOARD ONLY</u> <u>APPLICATION CHECKLIST</u>	
DATE RECEIVED	
FEE AMOUNT	
RECEIPT NUMBER	
RECEIVED BY (INITIALS)	
CONSIDERATION DATE	
LAST DATE FOR CONSIDERATION	
DATE OF INITIAL HEARING	
DATE GRANTED/REFUSED (delete as appropriate)	

<u>FOR USE BY THE LICENSING BOARD ONLY</u> <u>IF APPLICATION IS FOR A PREMISES LICENCE</u> <u>DOCUMENTS REQUIRED</u>	
OPERATING PLAN	
LAYOUT PLAN	
PLANNING CERTIFICATE	
BUILDING STANDARDS CERTIFICATE	
FOOD HYGIENE CERTIFICATE	

<u>FOR USE BY THE LICENSING BOARD ONLY</u> <u>IF APPLICATION IS FOR A PROVISIONAL PREMISES LICENCE</u> <u>DOCUMENTS REQUIRED</u>	
PROVISIONAL PLANNING CERTIFICATE	
OPERATING PLAN	
LAYOUT PLAN	



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?	YES /NO*
1(b) Will alcohol be sold for consumption solely OFF the Premises?	YES/ NO *
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES /NO*

*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	N/A	N/A
TUESDAY	N/A	N/A
WEDNESDAY	N/A	N/A
THURSDAY	N/A	N/A
FRIDAY	N/A	N/A
SATURDAY	N/A	N/A
SUNDAY	N/A	N/A

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Question 3

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

DAY	OFF ON CONSUMPTION	
	OPENING TIME	TERMINAL HOUR
MONDAY	10:00 AM	10:00 PM
TUESDAY	10:00 AM	10:00 PM
WEDNESDAY	10:00 AM	10:00 PM
THURSDAY	10:00 AM	10:00 PM
FRIDAY	10:00 AM	10:00 PM
SATURDAY	10:00 AM	10:00 PM
SUNDAY	10:00 AM	10:00 PM

Question 4

SEASONAL VARIATIONS

Does the Applicant intend to operate according to Seasonal Demand	YES /NO*
*If YES – provide details	

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Question 5

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

1	2	3	4
	Please Confirm	To Be Provided During Core Licensed Hours	Be Provided Outwith Core Licensed Hours
	YES/NO	YES/NO	YES/NO
5(a) Activity			
Accommodation	No	N/A	N/A
Conference Facilities	No	No	No
Restaurant Facilities	No	No	No
Bar Meals	No	No	No
5(b) Activity - Social Functions Including:			
Receptions Including Wedding, Funerals, Birthdays, Retirements Etc.	No	No	No
Club of Other Group Meetings etc.	No	No	No
5(b) Activity - Entertainment Including:			
Recorded Music (see 5g)	Yes	Yes	Yes
Live Performance (see 5g)	No	No	No
Dance Facilities	No	No	No
Theatre	No	No	No
Films	No	No	No
Gaming	No	No	No

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Indoor/Outdoor Sports	No	No	No
Televised Sport	No	No	No
5(d) Activity			
Outdoor Drinking Facilities	No	No	No
5(e) Activity			
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

BACKGROUND MUSIC IS PLAYED ALL OPERATING HOURS

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

FOOD TO GO
 HOME DELIVERY OF FOOD & ALCOHOL

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	YES /NO*
When Fully Occupied Are There Likely To Be More Customers Standing Than Seated	YES /NO*

*Delete As Appropriate

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Question 6 (On-Sales only)



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CHILDREN AND YOUNG PERSONS

6(a)	When Alcohol Is Being Sold For Consumption On The Premises Will Children Or Young Persons Be Allowed Entry	N/A YES/NO*
------	--	---------------------------

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

N/A

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

N/A

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

N/A

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

N/A

Question 7

CAPACITY OF PREMISES

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

OFF SALES: 18.031m².

Question 8

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

Personal Details

8(a) Name

ARASU VEERAPPAN

8(b) Date of Birth

[REDACTED]

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8(c) Contact Address

[Redacted contact address]

8(d) Email Address

[Redacted email address]

8(e) Personal Licence

Date of Issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence
11/10/2019	EDINBURGH LICENSING BOARD	417528

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 11/17/2024

Capacity AGENT **APPLICANT/AGENT**
(Delete as appropriate)

Telephone Number and Email Address of Signatory

[Redacted telephone number and email address]

*** 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



ARTICLE 18 & 19

APPLICATIONS TO WHICH SPECIAL PROCEDURE APPLIES – FULL LICENCE HELD

- 18 – (1) An application falls within this article if each of paragraphs (2) to (4) apply in respect of it.
- (2) The application must relate to premises in respect of which at the time that application is made there is in force a relevant permission granted-
- (a) before the beginning of the transitional period, or
 - (b) following upon a provisional grant of a licence made before the beginning of that period.
- (3) The operating plan and layout plan which accompany the application under sub- paragraphs (i) and (ii) of section 20(2)(b) of the 2005 Act must show that-
- (a) it is proposed that-
 - (i) the size and capacity of the premises;
 - (ii) the general nature of the premises; and
 - (iii) any entertainment to be provided on the premises,are to be substantially the same as at the date of the application; and
 - (b) alcohol is not to be sold on the premises outside the hours authorised by the relevant permission (whether by virtue of the original grant or by virtue of section
 - (c) 57,58, 59, 60 or 64 of the 1976 Act(a)).
- (4)The application must be made by the appropriate date, determined in accordance with article 20.

APPLICATIONS TO WHICH SPECIAL PROCEDURE APPLIES- PROVISIONAL LICENCE HELD

- 19 – (1) An application falls within this article if each of paragraphs (2) to (4) apply in respect of it.
- (2) The application must relate to premises in respect of which at the time the application is made there is in effect a licence under Part 11 of the 1976 Act-
- (a) which was provisionally granted prior to the beginning of the transitional period; and
 - (b) the provisional grant of which has not yet been declared final.
- (3) The operating plan and layout plan which accompany the application under sub- paragraphs (i) and (ii) of section 20(2)(b) of the 2005 Act must show that-
- (a) it is proposed that-
 - (i) the size and capacity of the premises;
 - (ii) the general nature of the premises; and
 - (iii) any entertainment to be provided on the premises,are to be substantially the same as at the date of the application; and led to the provisional grant under the 1976 Act; and
 - (b) alcohol is not to be sold on the premises outside the hours authorised by the licence provisionally granted under the 1976 Act.
- (4) The application must be made by the appropriate date, determined in accordance with article 20.

Licensing Board



**Clackmannanshire
Council**

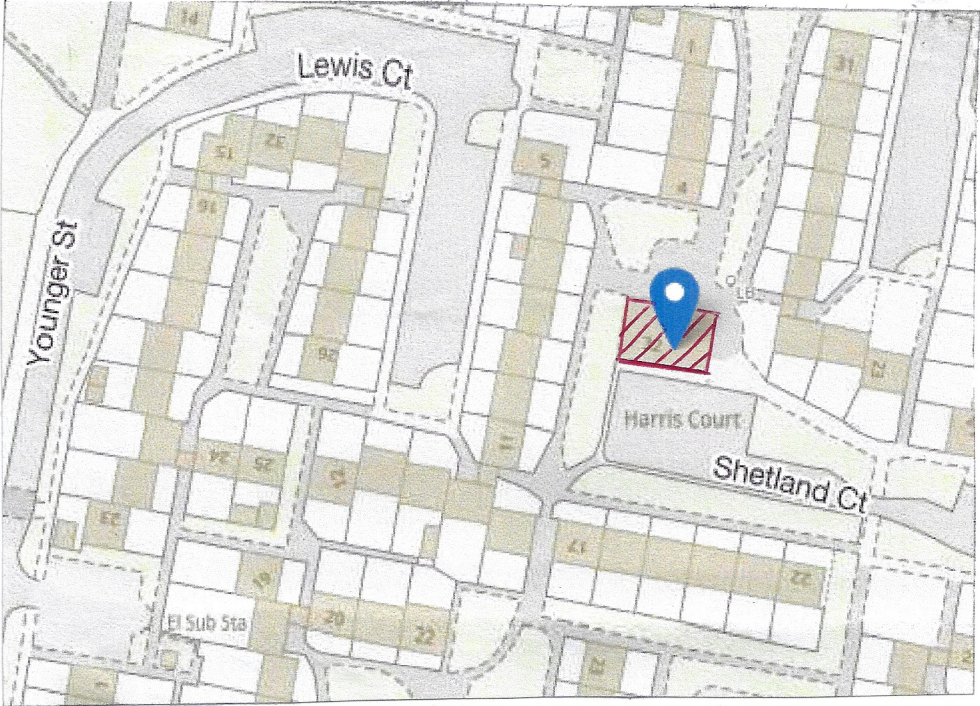
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Please return the completed form together with the relevant fee to:

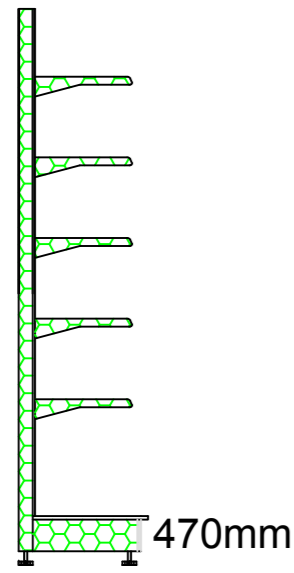
**The Licensing Administrator
Clackmannanshire Council
Kilncraigs
Alloa
FK101EB**

If you require further information please contact Shaun Carroll on telephone number 01259 452093 or e-mail address licensing@clacks.gov.uk

Premier, 32 Harris Court, Alloa- Location Map

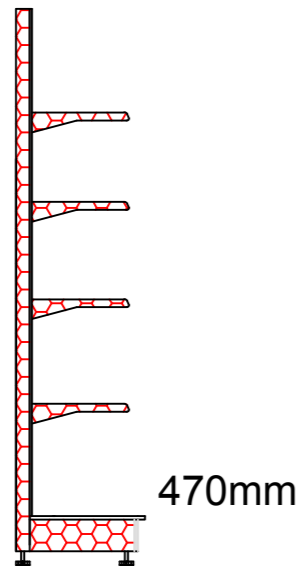


Profile 1
Wall Shelving



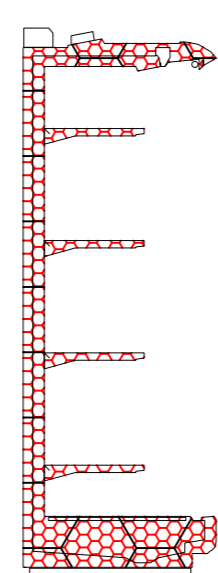
Height : 1.9m

Profile 2
Wall Shelving


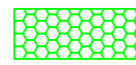
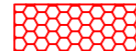


Height : 1.9m

Profile 3
Chill



Height: 1.9m

-  Toilet Area
-  Display Area of Alcohol (Inaccessible)
-  Display Area of Alcohol (Accessible)

Total Display Area of Alcohol (Inaccessible)

Spirits:- = 3.2m(w) x 1.9m(h) = 6.08m²

Total Display Area of Alcohol (Accessible)

Refrigeration:- 5.625m(w) x 1.9m(h) = 10.6875m²

Shelving - 0.665m (w) x 1.9(h) = 1.2635m²

Total Display Shelving -

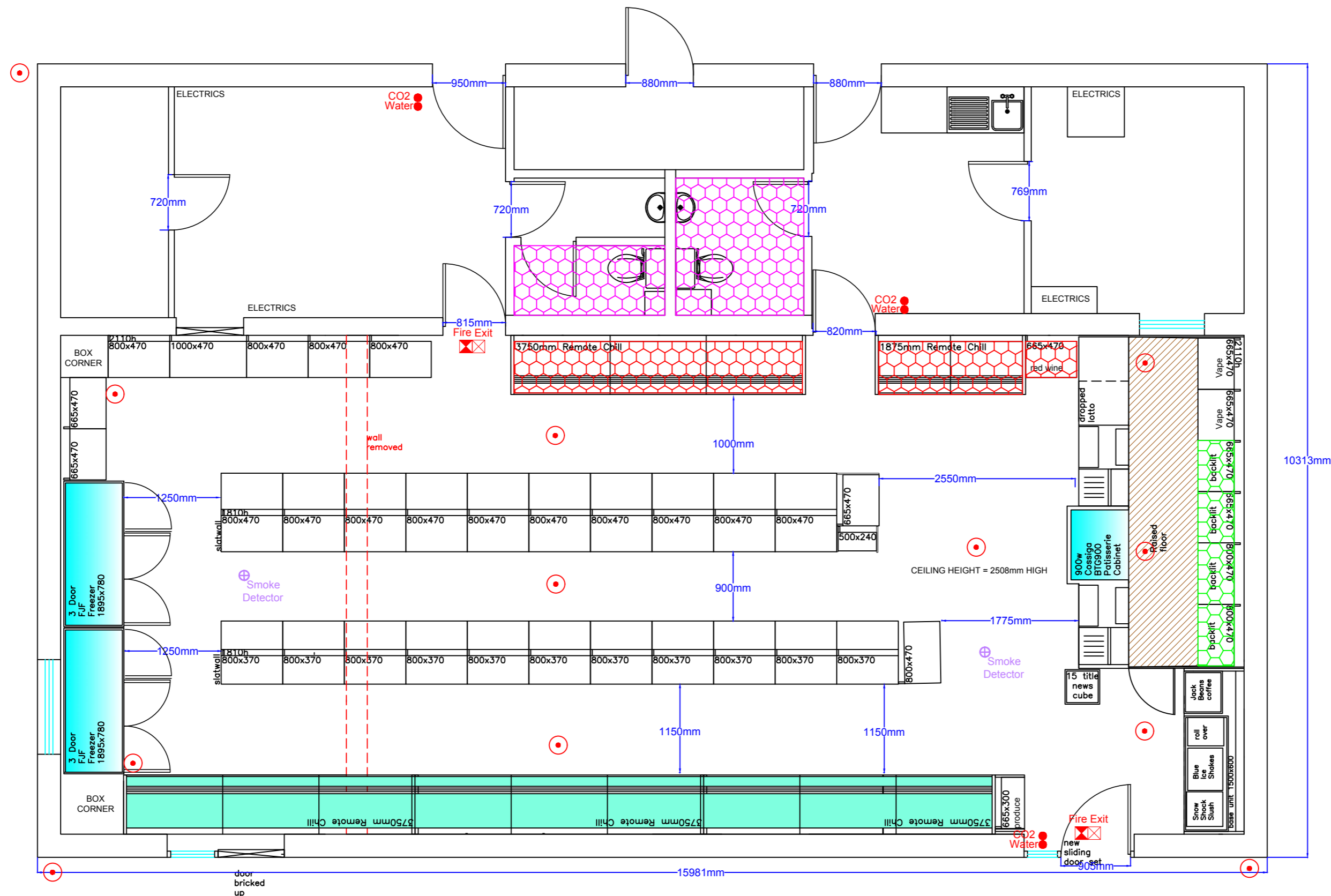
Total = 18.031m²

 Fire Extinguisher

 Smoke Detector

 Fire Exit

 CCTV



All Plans and quotations remain the property of the designer, who retain the copyright.
 Drawings are based upon site information supplied by third parties and as such their accuracy cannot be guaranteed.
 All features are approximate and subject to clarification.
 Therefore, no shop plan or shelving elevation example, may be copied or used as a basis for quotation by other persons or companies, without written permission from the proprietor of the company

DO NOT SCALE

Existing Ceiling:	-
Proposed Ceiling:	-
Depth Of Frieze:	-
Wall Column Height:	-
Gondola Column Height:	-
Suspended Ceiling:	-
	-
	-
	-
	-
	-
	-
Floor Specification:	-
	-
	-
	-
	-
	-
	-
	-
Lighting Specification:	-
	-
	-
	-
	-
	-
	-
Woodwork Finish:	-
Shelving Colour:	-
Kickplate Colour:	-
Ticket Rail Colour:	-
Dairy Trim Colour:	-
Slatwall Finish:	-
Frieze Finish:	-



Vertex R.A.S. Ltd
 Sir William Smith Road
 Kirkton Industrial Estate
 Arbroath
 Angus
 DD11 3RD

Tele: 01241 876796
 F.A.X.: 01241 878010
 www.vertexscotland.com

Project Details:	Premeir Harris Court
	-
	32 Harris Court
	Alloa
	Clackmannanshire
	FK10 1DD
	-

Drawing Title:	License Plan		
Drawing No:	-		
Scale:	1:50@A2	Revision:	B
Date:	13.02.24	Project Rep:	JM
Drawn By:	AA	Revision By:	JM



**Clackmannanshire
Council**

LICENSING (SCOTLAND) ACT 2005
SECTION 50

BUILDING CERTIFICATE

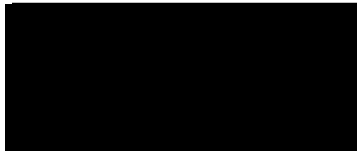
***32 Harris Court
Alloa
Clackmannanshire
FK10 1DD***

On behalf of the Development Services,
Clackmannanshire Council,

I hereby certify that a completion certificate has been accepted under section 18 of the Building (Scotland) Act 2003 in respect of any construction or conversion of the above named premises in connection with their proposed use as licensed premises.

Date: 8 July 2024

Signed:



For the Local Authority

WARNING – This Section 50 Certificate (Building Standards) does not exempt you from obtaining other Section 50 Certificates that may be necessary, such as from the Council's Planning and Environmental Health Teams. Consult the local authority if in doubt.



LICENSING (SCOTLAND) ACT 2005
SECTION 50

PLANNING CERTIFICATE

Premier, 32 Harris Court, Alloa, FK101DD

On behalf of the Service Manager - Development

Clackmannanshire Council,

I hereby certify that the above named premises referred to in the application dated 20th February 2024, have been granted planning permission under the Town and Country Planning (Scotland) Act 1997, as amended, in respect of any development in connection with their proposed use as licensed premises as a shop.

Date: 21st March 2024

Signed: Keith Johnstone

KEITH JOHNSTONE
PRINCIPAL PLANNER
CLACKMANNANSHIRE COUNCIL



**Clackmannanshire
Council**

LICENSING (SCOTLAND) ACT 2005
SECTION 50

ENVIRONMENTAL HEALTH CERTIFICATE

On behalf of the Head of Development and Environment Services,

Clackmannanshire Council,

I hereby certify that the premises subject to an application made by

Yuva Ltd

in relation to grant of a Food Hygiene Certificate

at

Premier
32 Harris Court, Alloa, FK10 1DD

Are regularly inspected by this department and

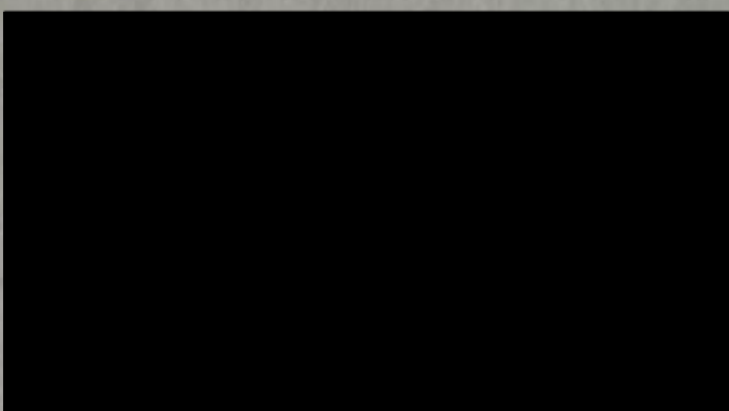
Found to comply with the requirements of the

Food Hygiene (Scotland) Regulations 2006

with respect to construction, layout, drainage, ventilation, lighting, water supply, and the provision of sanitary and washing facilities.

Date: 25th June 2024

Signed:



Kay Macdonald
ENVIRONMENTAL HEALTH OFFICER

SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

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

Question 1

Disabled access and facilities

1(a)	Is there disabled access to the premises?	YES
1(b)	Do you have facilities for those with a disability	NO*
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES
*Delete as appropriate		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2

Access to the premises

Please provide clear information about how accessible the premises are for disabled people.

Access to the premises is available via one main entrance door. This is a manual door that opens inwards.
This doorway is wheelchair accessible.
The premises is one level flooring surface throughout the site.
There is suitable space within the premises to accommodate wheelchairs and customers who may have mobility difficulties.

Question 3

Facilities available

Please describe the facilities provided for disabled people.

The serving counter area can be accessed by wheelchair users.

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people.

Assistance is offered to all customers when they enter the premises irrespective of whether they have a disability or not.

All staff have been trained to identify those who may appear to require support or assistance.

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 disabled access and facilities statement are true to the best of my knowledge and belief.

Signature*Gordon Emslie*..... * (see note below)

Date11/07/2024.....

Capacity**AGENT**..... APPLICANT/AGENT

Telephone number and email address of signatory

[Redacted]

[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.



Partnership and Performance

Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: 01259 450000

Memo

To: **The Clerk to the Licensing Board
Clackmannanshire Council
Kilncraigs
Alloa
FK10 1EB**

From: **Paul Fair
Licensing Standards Officer**

Extension: **2091**

Email: **pfair@clacks.gov.uk**

Our Ref: **PF/LSO/PL/Grant**

Your Ref:

Date: **16 September, 2024**

Subject: **Licensing (Scotland) Act, 2005.
Application for the grant of Premises Licence.
Premier, 32 Harris Court, Alloa. FK10 1DD**

1. Having considered the content of the application I have no objection to the grant of a premises licence or the terms of the application.
2. The premises are a retail shop that has existed in this location for many years and was previously operated as licensed premises prior to the commencement of the Licensing (Scotland) Act, 2005.
3. The only matter of concern is that the application seeks to include the home delivery of food and alcohol products in the list of additional activities at question 5(f).
4. The Clackmannanshire Licensing Board Statement of Licensing Policy 2023-2028 (the Policy) confirms at page 19 that the Board will require all premises seeking to make home deliveries of alcohol to have this specified on their operating plan.
5. The Policy goes on to indicate that home delivery of alcohol should be robustly managed and is likely to attract additional local conditions where the Licensing Board think it is necessary and expedient for the purposes of the licensing objectives.
6. In this case, I would suggest that to support compliance with the licensing objectives contained within the Licensing (Scotland) Act, 2005, that if the Board decide to grant the licence they should apply additional local conditions of the type suggested in the Policy.
7. At **Appendix A** I have drafted proposed conditions for the benefit of the Licensing Board that I believe will adequately address the common concerns that surround the home delivery of alcohol.
8. Those concerns are deliveries being made to under age persons, or to persons who are drunk or at serious risk of harm from drinking alcohol, and deliveries being made by

untrained individuals, or by couriers that do not have robust age verification measures in place.

9. I have not had the opportunity to discuss the possibility of conditions of the nature suggested with the applicant's agent, however I am sure that they will have time to take instructions in relation to the proposals prior to the Board hearing.

Paul Fair

Licensing Standards Officer.

Appendix A

Draft Local |Conditions Home Delivery Of Alcohol

1. A written Age Verification Policy (AVP) must be kept and applied to all sales of alcohol for delivery to any place off the premises. This AVP must set out the steps that are to be taken to establish the age of a person attempting to take delivery of alcohol ("the customer") if it appears to the person making delivery of the alcohol that the customer appears to be less than 25 years of age (or such older age as may be specified in the policy).
2. Information must be provided to customers whether online or in store that Alcohol will only be left at the delivery address with a person who can prove that they are over 18 years of age.
3. Premises Licence holders and Premises Managers must ensure that all persons involved in the delivery of alcohol from the premises have received appropriate training in the content and application of the Age Verification Policy to be applied to all deliveries.
4. A record of all persons trained in relation to the Age Verification Policy will be kept on the premises and made available to the Licensing Standards Officer and any Constable of Police Scotland.
5. A copy of the training record referred to in No 4 above should be supplied to delivery agent on completion of the training
6. Licence holders and Premises Managers will ensure that all persons involved in the delivery of alcohol from the premises have received appropriate training to ensure that deliveries of alcohol are not made to persons who are or appear to be drunk.
7. Licence holders using Royal Mail, a private postal service, a courier service or independent delivery drivers will ensure that an age verified signed for delivery option is utilised that requires any package containing alcohol to be left with an adult over 18 at the specified delivery address and at no other place.
8. The premises licence holder will ensure that records of all alcohol deliveries are retained on the premises and that those record contain the following information, the

forename and surname of the purchaser, the delivery address, the quantity and type of alcohol delivered and the purchase price.

9. All records, electronic or written made in relation to the delivery of alcohol will be kept on the premises for at least 12 months and will be made available on demand to a Licensing Standards Officer for the area where the premises are located or to a Constable of Police Scotland.

Memo

To: **CLERK OF THE LICENSING
COMMITTEE**

From: **ENVIRONMENTAL HEALTH**
Extension: 2541
E-Mail: ehealth@clacks.gov.uk
Our Ref:
Your Ref: **1/7/10**
Date: 9th September 2024

Subject: **LICENSING (SCOTLAND) ACT 2005**
PREMISES LICENCE
PREMIER, 32 HARRIS COURT, ALLOA, FK10 1DD

I refer to the abovementioned application and would respond as follows.

ENVIRONMENTAL HEALTH
RESPONDING OFFICER: Kay Macdonald

No adverse comments.

I trust this information is of use to you.

ENVIRONMENTAL HEALTH



30/08/2024

Your Ref: N/A

Our Ref: 856107

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



Roddy Irvine
Chief Superintendent
Divisional Commander

Forth Valley Division Headquarters
Randolphfield
St Ninian's Road
Stirling
FK8 2HD

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PREMISES LICENCE
PREMIER**

[REDACTED]
YUVAA LTD

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully

[REDACTED]
Roddy Irvine
Chief Superintendent
Divisional Commander

OFFICIAL: POLICE AND PARTNERS

For enquiries please contact the Licensing Department on 01786 456026.

APPLICATION FOR PREMISES LICENCE/~~PROVISIONAL PREMISES LICENCE*~~

*Delete as appropriate

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

Licensing (Scotland) Act 2005, section 20

APPLICANT INFORMATION *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

Alloa Clackmannan Road Service Station, Clackmannan Road, Alloa FK10 1QY

Question 2

Particulars of applicant

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode and telephone number.*

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

Motor Fuel Limited, 10 Bricket Road, St Albans, AL1 3JX
05206547

2(d) Where the applicant is a club or other body, please provide full name, and postal address of club or other body.

2(e) Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.*

William Bahlsen Bannister [Redacted] No previous convictions
Jeremy Clarke [Redacted] No previous convictions
Simon Paul Lane [Redacted] No previous convictions
Thomas Mckenzie Biggart [Redacted] No previous convictions
Timothy Edward Douglas Allan [Redacted] No previous convictions
Adam George Wadlow [Redacted] No previous convictions

* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

Question 3

Previous applications

3 Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? **YES/NO***

If YES – provide full details

--

Question 4

Previous convictions

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	YES/NO*
--	----------------

*If YES – provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

Name & position (if applicable)	Date of conviction or sentence	Court	Offence	Penalty

DESCRIPTION OF PREMISES Licensing (Scotland) Act 2005, section 20(2)(a)

Question 5

5 Description of premises (where application is submitted by a members' club, please also complete question 6)

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

The premises are located at Clackmannan Road, Alloa FK10 1QY.

The premises as a general convenience store adjacent to petrol/derv filling station forecourt. The site has car parking separate from the fuel pumps. The premises do not form part of the nearby retail supermarket premises.

The petrol/derv filling station forecourt area is not part of the area to be licensed. The premises offer substantial general convenience separate from, and supplementary to, the offer of petrol/derv.

The applicant considers that persons within the locality of the premises are reliant on the premises to a significant extent on the premises as a principal source of petrol or derv or groceries and thereby satisfy the criteria of section 123(5) of the Licensing (Scotland) Act and as such are not excluded premises.

Question 6

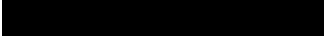
6 *To be completed by members' clubs only*

<i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i>	YES/NO*
<i>* Delete as appropriate</i>	

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  (see note below)

Date 02/09/2024

Capacity Solicitor -~~APPLICANT~~/AGENT (delete as appropriate)

Telephone number and email address of signatory

Agent: Harper Macleod LLP, 45 Gordon Street, Glasgow, G1 3PE



I have enclosed the relevant documents with this application – please tick the relevant boxes

<i>Operating plan</i>	✓
<i>Layout plan</i>	✓
<i>Planning certificate</i>	✓
<i>Building standards certificate</i>	✓
<i>Food hygiene certificate</i>	✓

*** 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.

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	
Fee amount	
Receipt number	
Received by (<i>INITIALS</i>)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

<u>For use by the Licensing Board only</u>	
If application is for a premises licence	
Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

<u>For use by the Licensing Board only</u>	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	
Operating plan	
Layout plan	

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?	YES /NO*
1(b) Will alcohol be sold for consumption solely OFF the premises?	YES/ NO *
1(c) Will alcohol be sold for consumption both ON and OFF the premises?	YES /NO*
*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		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		
Sunday		

Question 3

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

Day	OFF Consumption	
	Opening time	Terminal hour
<i>Monday</i>	10:00 hrs	22:00 hours
<i>Tuesday</i>	10:00 hrs	22:00 hours
<i>Wednesday</i>	10:00 hrs	22:00 hours
<i>Thursday</i>	10:00 hrs	22:00 hours
<i>Friday</i>	10:00 hrs	22:00 hours
<i>Saturday</i>	10:00 hrs	22:00 hours
<i>Sunday</i>	10:00 hrs	22:00 hours

Question 4

SEASONAL VARIATIONS

<i>Does the applicant intend to operate according to seasonal demand</i>	YES /NO*
--	---------------------

*If YES – provide details

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
<i>Accommodation</i>	No	N/A	N/A
<i>Conference facilities</i>	No	No	No
<i>Restaurant facilities</i>	No	No	No
<i>Bar meals</i>	No	No	No
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
<i>Receptions including</i> <i>Weddings, funerals,</i> <i>birthdays,</i> <i>retirements etc.</i>	No	No	No
<i>Club or other group</i> <i>meetings etc.</i>	No	No	No
5(c) 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
<i>Recorded music –</i> see 5(g)	Yes	Yes	Yes
<i>Live performances –</i> see 5(g)	No	No	No
<i>Dance facilities</i>	No	No	No
<i>Theatre</i>	No	No	No
<i>Films</i>	No	No	No
<i>Gaming</i>	No	No	No
<i>Indoor/outdoor sports</i>	No	No	No
<i>Televised sport</i>	No	No	No

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
<i>Outdoor drinking facilities</i>	No	No	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
<i>Adult entertainment</i>	No	No	No

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

The premises may play background music is in the retail areas of the store. The premises may operate outwith alcohol licensing, up to 24 hour basis.

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.

The premises comprise of general convenience store with off sale facility adjacent to petrol/derv filling station forecourt. The premises offer takeaway "food on the go". Customers may order groceries, food and drinks, including alcoholic drinks for home delivery from the premises

5(g) Late night premises opening after 1.00am – N/A

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO*
---	---------

When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
--	---------

*Delete as appropriate

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS - N/A

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry	YES/NO*
	<i>*Delete as appropriate</i>	

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

6(c) Provide statement regarding the **AGES** of children or young persons to be allowed entry

6(d) Provide statement regarding the **TIMES** during which children and young persons will be allowed entry

6(e) Provide statement regarding the **PARTS** of the premises to which children and young persons will be allowed entry

Question 7

CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

Off sales display: 9.228 m²

Question 8

PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)

Personal details

8(a) *Name*

8(b) *Date of birth*

8(c) *Contact address*

8(d) *Email address and telephone number*

8(e) *Personal licence*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

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



* (see note below)

Date 30 / 04/ 2024

Capacity Solicitor ~~APPLICANT~~/AGENT (delete as appropriate).

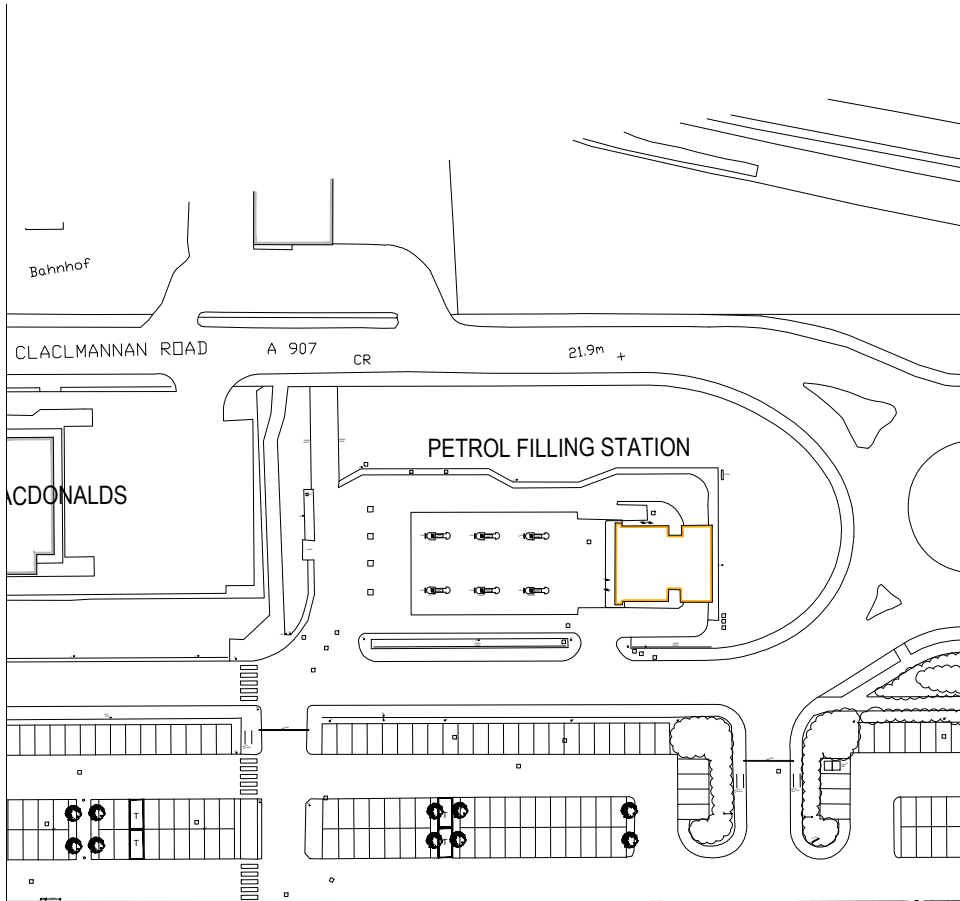
Telephone number and email address of signatory

Agent: Harper Macleod LLP, 45 Gordon Street, Glasgow, G1 3PE



*** 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.



Site Plan Scale 1:1250

Children and young persons are permitted access to all public parts of the premises

Square Meters					
Store Name		Alloa			
Store Number		2162			
Number Of Units	Bay/Fixture	Height	Width	Depth	M2
0	Side Rack	1720	610	300	0.00000
Total Display Units Capacity					0.00000
0	1000 Fixture	1410	1000	470	0.00000
1.00	800 Fixture	1410	800	470	1.12800
2.00	Kiosk Kit	1800	1000	300	3.60000
0.00	1250 Panama fridge bay	1800	1250	750	0.00000
0.00	937 Panama fridge bay	1800	937	750	0.00000
2.00	1250 Pearl M fridge bay	1800	1250	750	4.50000
0.00	937 Pearl M fridge bay	1800	937	750	0.00000
Total Shelving Capacity					9.22800
Miscellaneous BWS Display Base					
Visible Display	Display Base	2200	610	610	0.00000
Total Department Capacity					9.22800

Key - Drawing Information

	FIXTURE LICENCED FOR SALE OF ALCOHOL - ACCESSIBLE
	FIXTURE LICENCED FOR SALE OF ALCOHOL - INACCESSIBLE
	BOUNDARY OF PREMISES SALES FLOOR
	LOCATION OF PREMISES ON SITE PLAN

Key - Fire Symbols

	NOTICE - 'FIRE DOOR-KEEP CLOSED'
	NOTICE - 'KEEP LOCKED'
	ILLUMINATED EXIT DIRECTION
	EXIT SIGN
	EMERGENCY LIGHTING
	ALARM CALL POINT
	AUDIBLE WARNING
	SMOKE DETECTOR
	ALARM INDICATOR PANEL
	DOORS FITTED WITH PUSH BARS
	DOORS FITTED WITH PRESSURE RELEASE
	ROLLER SHUTTER DOOR
	FIRE EXTINGUISHER - WATER TYPE
	FIRE EXTINGUISHER - FOAM TYPE
	FIRE EXTINGUISHER - CARBON DIOXIDE
	FIRE EXTINGUISHER - DRY POWDER TYPE
	FIRE EXTINGUISHER - AQUEOUS SOLUTION
	FIRE EXTINGUISHER - VAPOURISING LIQUID
	FIRE BLANKET
	FIRE HOSE REEL
	FIRE RESISTANT WALLS
	FIRE RESISTANT DOORS

NOTES:

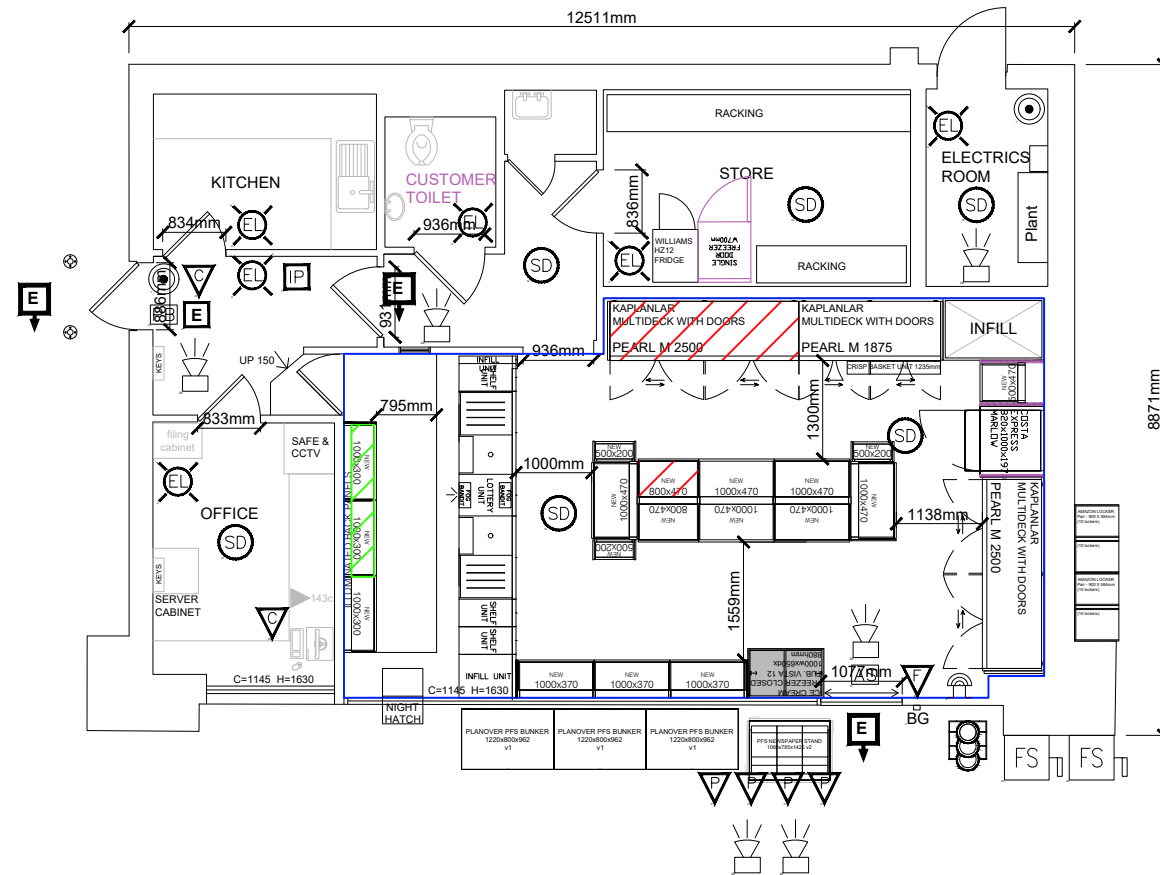
1. FIRE FIGHTING EQUIPMENT & ALL OF THE REQUIREMENTS OF THE FIRE SERVICE WILL BE INCORPORATED & WILL BE PROVIDED TO COMPLY WITH THE EUROPEAN STANDARDS

No. BSEN3 & BS7863.

FIRE STANDARDS:

- FIRE SAFETY RELATED SIGNS AND NOTICES ARE TO THE HEALTH AND SAFETY (SAFETY SIGNS & SIGNALS) REGULATIONS ACT 1996. THOSE THAT COMPLY TO BS 5499, PART 1, 1990 ALSO COMPLY.
- ILLUMINATED 'EXIT' SIGNS ARE TO CONFORM TO BS2560
- FIRE FIGHTING EQUIPMENT IS TO COMPLY WITH EUROPEAN STANDARDS BS EN3 AND BS 7863

NOTE:
TOTAL ALCOHOL DISPLAY AREA:
09.22800m²



FS2162 Alloa Clackmannan Road

CLACKMANNAN ROAD ALLOA FK10 1RY

SALES FLOOR

RETAIL SALES AREA 497 Sq. Ft.

Scale: 1:100

only scaled on
A3



SCHEDULE 6

Regulation 7

DISABLED ACCESS AND FACILITIES STATEMENT

*Licensing (Scotland) Act 2005, section 20(2)(b)(ia)***Question 1****Disabled access and facilities**

1(a)	Is there disabled access to the premises	YES
1(b)	Do you have facilities for those with a disability	YES
1(c)	Do you have any other provisions available to aid the use of the premises by disabled people	YES
<i>*Delete as appropriate</i>		

If you have answered Yes to any of the questions above please complete, as appropriate, the following sections.

Question 2**Disabled access to, from and within the premises**

Please provide clear and detailed description of how accessible the premises are for disabled people. e.g. ramps, accessible floors, signage.

The customer areas of the premises are located on a single level. The premises have level entry / exit.
Emergency exit points are suitable from use by disabled persons

Question 3

Facilities available

Please describe in detail the facilities provided for disabled people. e.g. disabled toilets, lifts, accessible tables.

The premises have a customer toilet with disabled access facilities

Grocery items are displayed at different heights. Where a product is outwith the reach of a disabled customer, shop floor staff are available to provide assistance.

Question 4

Other provisions

Please provide details of any other provisions made to aid the use of the premises by disabled people. e.g. assistance dogs welcome, large print menus.

Assistance dogs are welcome on the premises to assist their owners
Disabled Customer parking is available.

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

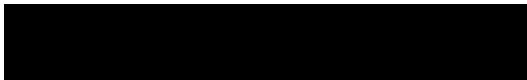
If signing on behalf of the applicant please state in what capacity.

The contents of this disabled access and facilities statement are true to the best of my knowledge and belief.

Signature  * (see note below)
Date 05/03/2024

Capacity Solicitor ~~APPLICANT~~/AGENT

Telephone number and email address of signatory.....



* "How we use your information

The information provided by you on this form will be used by Fife Council in order to process your application. It will be shared with Police Scotland and other Council Services and if appropriate NHS Fife and Scottish Fire and Rescue and information will be obtained from Police Scotland and other Council Services and if appropriate NHS Fife and Scottish Fire and Rescue. Further information on how your information is used and why can be found here:

<https://www.fife.gov.uk/kb/docs/articles/privacy-notice/liquor-licence>

The Licensing Board's Data Protection Officer can be contacted on: dataprotection@fife.gov.uk".



Development and Environmental Services
Kilncraigs, Greenside Street, Alloa, FK10 1EB

Harper Macleod
45 Gordon St
Glasgow
G1 3PE

Contact: Margaret McWhinnie
Direct Tel: 01259 450000
Email: ehealth@clacks.gov.uk
Our Ref: MM/CB/24/02798/SR
Your Ref:
Date: 19th March 2024

FAO: Mr A Hunter

Dear Sir,

The Food Safety Act 1990
Food Hygiene (Scotland) Regulations 2006
Licensing (Scotland) Act 2005
Premises: Alloa (Clackmannan Road) Service Station, Clackmannan Road,
Alloa, FK10 1RQ
Visit: 14th March 2024


I refer to the application on behalf of your client Motor Fuel Limited for a Food Hygiene Certificate in terms of section 50 of the Licensing (Scotland) Act 2005.

Please find attached a Certificate to confirm that the premises of **Alloa (Clackmannan Road) Service Station, Clackmannan Road, Alloa, FK10 1RQ** comply with the requirements of the Food Hygiene (Scotland) Regulations 2006 which relate to the construction, layout, drainage, ventilation, lighting, water supply and the provision of sanitary and washing facilities. The Certificate does not refer to provisions relating to general hygiene, food safety practices, health and safety practices and procedures.

A copy of this certificate has been passed to the license section of the council. I trust this information is of assistance. Should you wish to discuss this matter please do not hesitate to contact me.

Yours Sincerely,

MARGARET MCWHINNIE
SENIOR ENVIRONMENTAL HEALTH OFFICER
ENVIRONMENTAL HEALTH

CC Mr A Hunter, Solicitor/Agent 



**Clackmannanshire
Council**

LICENSING (SCOTLAND) ACT 2005
SECTION 50

ENVIRONMENTAL HEALTH CERTIFICATE

On behalf of the Head of Development and Environment Services,
Clackmannanshire Council,

I hereby certify that the premises subject to an application made by

**Motor Fuel
Limited**

in relation to grant of a Food Hygiene Certificate

at

Alloa (Clackmannan Road) Service Station, Clackmannan Road, Alloa, FK10 1RQ

Are regularly inspected by this department and found to comply with the requirements of
the

Food Hygiene (Scotland) Regulations 2006

With respect to construction, layout, drainage, ventilation, lighting, water supply, and the
provision of sanitary and washing facilities.

Date: 14th March 2024

Signed: 

MARGARET MCWHINNIE
SENIOR ENVIRONMENTAL HEALTH OFFICER





**Clackmannanshire
Council**

LICENSING (SCOTLAND) ACT 2005
SECTION 50

BUILDING CERTIFICATE

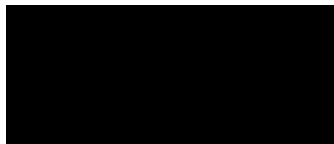
**Morrisons Filling Station
Clackmannan Road
Alloa
FK10 1RQ**

On behalf of the Development Services,
Clackmannanshire Council,

I hereby certify that a completion certificate under section 18 of the Building (Scotland) Act 2003 in respect of any construction or conversion of the above named premises in connection with their proposed use as licensed premises is not required.

Date: 12th March 2024

Signed:



Mr R Clark
Principal Building Standards Surveyor

For the Local Authority

WARNING – This Section 50 Certificate (Building Standards) does not exempt you from obtaining other Section 50 Certificates that may be necessary, such as from the Council's Planning and Environmental Health Teams. Consult the local authority if in doubt.



LICENSING (SCOTLAND) ACT 2005
SECTION 50

PLANNING CERTIFICATE

Alloa (Clackmannan Road) Service Station, Clackmannan Road, Alloa, FK10 1RQ

On behalf of the Service Manager - Development

Clackmannanshire Council,

I hereby certify that the above named premises referred to in the application dated 8th February 2024, have been granted planning permission under the Town and Country Planning (Scotland) Act 1997, as amended, in respect of any development in connection with their proposed use as licensed premises.

Date: 21st March 2024

Signed: Keith Johnstone

KEITH JOHNSTONE
PRINCIPAL PLANNER
CLACKMANNANSHIRE COUNCIL



Partnership and Performance

Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: 01259 450000

Memo

To: **The Clerk to the Licensing Board
Kilncraigs
Greenside Street
Alloa
FK10 1EB**

From: **Paul Fair
Licensing Standards Officer**

Extension: **2091**

Email: **pfair@clacks.gov.uk**

Our Ref: **PF/LSO/NPL/REP/CC211**

Your Ref:

Date: **16 September, 2024**

Subject: **Licensing (Scotland) Act, 2005. Section 29
Application for a Premises Licence
Motor Fuel Limited
Alloa Clackmannan Road Service Station
Clackmannan Road, Alloa FK10 1QY**

1. Having considered the content of the application I have the following comments to make, these comments should be treated as a representation in the terms of section 22 of the Licensing (Scotland) Act, 2005.
2. The application to be determined is an application for a new premises licence.
3. As the Licensing Board will be aware the licensing (Scotland) Act 2005, defines premises that are used as a garage as “excluded premises”. I have included in **Appendix A** the extract from the 2005 Act, of the relevant section 123.
4. I am certain that full legal guidance on the subject of “excluded premises” will be provided by the Clerk to the Licensing Board
5. To assist the Licensing Board, I have taken steps to ascertain whether or not this application relates to premises that are exempt from the definition of “excluded Premises by virtue of Section 123(5), of the 2005 Act.
6. Section 123(5) makes it clear that premises are not “excluded premises” if persons resident in the locality in which the premises are situated are, or are likely to become, reliant to a significant extent on the premises as the principal source of road fuels or groceries.
7. In my research I concluded that there are 3 parts to the test contained within sub-section 5 that need to be explored.
 - a. What is the extent of the “locality” in which the premises are situated and are there residents in that locality?
 - b. Are any of these persons “reliant to a significant extent” on the premises as a “principal source of road fuels”?

- c. Are any of these persons “reliant to a significant extent” on the premises as a “principal source of groceries”
8. Having considered the area I concluded that a significant part of the town of Alloa could be considered as in the “locality” of the applicant premises and that there are persons resident in that locality. I acknowledge that the final decision on what is in the “locality” is a matter for the Licensing Board to determine.
 9. Should the Board agree with my conclusion on “locality”, then I can confirm that my restricted/limited and unscientific research confirmed that persons resident in the locality were indeed reliant on the garage to a significant extent as the principal source of road fuels.
 10. I was unable to conclude that any person resident in that locality was reliant to any extent on the premises as a “principal” source of groceries. The close proximity of a number of supermarket in the vicinity make this unlikely.
 11. My research consisted of 4 separate relatively short site visits to the premises at different times of the day and on different days of the week. During these visits I interviewed individuals who were drawing fuel. I noted post code information, asked a number of simple questions relating to their grocery shopping habits and regular fuel purchases.
 12. I spoke with a total of 32 people, 10 of which were not resident in the locality, and as such I asked them no further questions
 13. Of the 22 persons who were resident in the locality 19 stated that this was the only garage they had bought fuel from in the last year, and that they were reliant on it as the principal source (if not the only source) of fuel for their car.
 14. Some respondents indicated that they occasionally used one of the other supermarket petrol stations in the town when one was slightly cheaper than this one.
 15. Of the 19, 8 persons stated they had never purchased fuel anywhere else in the last 3 years
 16. The other 11 all said they mostly purchased their fuel from this garage, but had purchased fuel elsewhere.
 17. None of the 32 indicated that they were in anyway reliant on the premises as a “principal” source of groceries, citing the selection of nearby supermarkets as their favoured option.
 18. In conclusion I believe that the premises should not be considered to be “excluded Premises” by virtue of the Licensing (Scotland) Act, 2005, section 123(5).
 19. The only other matter of significance connected to this application is that the answer to Question 5(f) indicated that the garage would offer home delivery of food, groceries and alcohol.
 20. The Clackmannanshire Licensing Board Statement of Licensing Policy 2023-2028 (the Policy) confirms at page 19 that the Board will require all premises seeking to make home deliveries of alcohol to have this specified on their operating plan.

21. The Policy goes on to indicate that home delivery of alcohol should be robustly managed and is likely to attract additional local conditions where the Licensing Board think it is necessary and expedient for the purposes of the licensing objectives.
22. In this case, I would suggest that to support compliance with the licensing objectives contained within the Licensing (Scotland) Act, 2005, that if the Board decide to grant the licence they should apply additional local conditions of the type suggested in the Policy.
23. At **Appendix B** I have drafted proposed conditions for the benefit of the Licensing Board that I believe will adequately address the common concerns that surround the home delivery of alcohol.
24. I would suggest that these proposed conditions are necessary and expedient for the purposes of the licensing objectives.
25. Those concerns are deliveries being made to under age persons, or to persons who are drunk or at serious risk of harm from drinking alcohol, and deliveries being made by untrained individuals, or by couriers that do not have robust age verification measures in place.
26. I have no further concerns about the application.

Paul Fair

Licensing Standards Officer.

Appendix A – Extract from Section 123 of the Licensing (Scotland) Act, 2005.

123 Excluded premises

(1) No premises licence or occasional licence has effect to authorise the sale of alcohol on excluded premises.

(2) For the purposes of this Act, “excluded premises” means—

(a) premises on land—

- (i) acquired or appropriated by a special roads authority, and
- (ii) for the time being used, for the provision of facilities to be used in connection with the use of a special road provided for the use of traffic of class 1 (with or without other classes), and

(b) subject to subsection (5), premises used as a garage or which form part of premises which are so used.

(3) For the purposes of subsection (2)(a)—

(a) “special road” and “special roads authority” have the same meanings as in the Roads (Scotland) Act 1984 (c. 54), and

(b) “class 1” means class 1 in Schedule 3 to that Act, as varied from time to time by an order under section 8 of that Act, but, if that Schedule is amended by such an order so as to add to it a further class of traffic, the order may adapt the reference in this section to traffic of class 1 so as to take account of the additional class.

(4) or the purposes of subsection (2)(b), premises are used as a garage if they are used for one or more of the following—

- (a) the sale by retail of petrol or derv,
- (b) the sale of motor vehicles, or
- (c) the maintenance of motor vehicles.

(5) Despite subsection (2)(b), premises used for the sale by retail of petrol or derv or which form part of premises so used are not excluded premises if persons resident in the locality in which the premises are situated are, or are likely to become, reliant to a significant extent on the premises as the principal source of—

- (a) petrol or derv, or
- (b) groceries (where the premises are, or are to be, used also for the sale by retail of groceries).

(6) The Scottish Ministers may by order amend the definition of “excluded premises” in subsection (2) so as to include or exclude premises of such description as may be specified in the order.

Appendix B

Draft Local |Conditions Home Delivery Of Alcohol

1. A written Age Verification Policy (AVP) must be kept and applied to all sales of alcohol for delivery to any place off the premises. This AVP must set out the steps that are to be taken to establish the age of a person attempting to take delivery of alcohol ("the customer") if it appears to the person making delivery of the alcohol that the customer appears to be less than 25 years of age (or such older age as may be specified in the policy).
2. Information must be provided to customers whether online or in store that Alcohol will only be left at the delivery address with a person who can prove that they are over 18 years of age.
3. Premises Licence holders and Premises Managers must ensure that all persons involved in the delivery of alcohol from the premises have received appropriate training in the content and application of the Age Verification Policy to be applied to all deliveries.
4. A record of all persons trained in relation to the Age Verification Policy will be kept on the premises and made available to the Licensing Standards Officer and any Constable of Police Scotland.
5. A copy of the training record referred to in No 4 above should be supplied to delivery agent on completion of the training
6. Licence holders and Premises Managers will ensure that all persons involved in the delivery of alcohol from the premises have received appropriate training to ensure that deliveries of alcohol are not made to persons who are or appear to be drunk.
7. Licence holders using Royal Mail, a private postal service, a courier service or independent delivery drivers will ensure that an age verified signed for delivery option is utilised that requires any package containing alcohol to be left with an adult over 18 at the specified delivery address and at no other place.
8. The premises licence holder will ensure that records of all alcohol deliveries are retained on the premises and that those record contain the following information, the forename and surname of the purchaser, the delivery address, the quantity and type of alcohol delivered and the purchase price.
9. All records, electronic or written made in relation to the delivery of alcohol will be kept on the premises for at least 12 months and will be made available on demand to a Licensing Standards Officer for the area where the premises are located or to a Constable of Police Scotland.

09/09/2024

Your Ref: N/A

Our Ref: 858263

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



Roddy Irvine
Chief Superintendent
Divisional Commander

Forth Valley Division Headquarters
Randolphfield
St Ninian's Road
Stirling
FK8 2HD

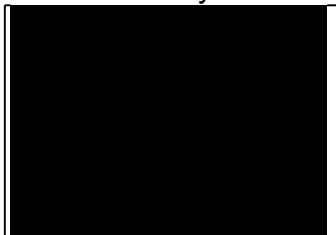
Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A
PREMISES LICENCE
ALLOA CLACKMANNAN ROAD SERVICE STATION
ALLOA CLACKMANNAN ROAD SERVICE STATION, CLACKMANNAN ROAD,
ALLOA, FK10 1QY.**

I refer to the above application and in terms of Section 21(4)(a)(i) and (ii) of the Licensing (Scotland) Act 2005, I have to advise you that neither the applicant nor any connected person has been convicted of any relevant offence.

I am unable to confirm the existence of any foreign offence in respect of the applicant or any connected person.

Yours faithfully



Roddy Irvine
Chief Superintendent
Divisional Commander

OFFICIAL: POLICE AND PARTNERS

For enquiries please contact the Licensing Department on 01786 456026.



Memo

To: **CLERK OF THE LICENSING
COMMITTEE**

From: **ENVIRONMENTAL HEALTH**

Extension: 2541

E-Mail: ehealth@clacks.gov.uk

Our Ref:

Your Ref: **1/7/10**

Date: 16th September 2024

Subject: **LICENSING (SCOTLAND) ACT 2005**
PREMISES LICENCE
MOTOR FUEL LIMITED, ALLOA CLACKMANNAN ROAD SERVICE
STATION, CLACKMANNAN ROAD ALLOA

I refer to the abovementioned application and would respond as follows.

ENVIRONMENTAL HEALTH
RESPONDING OFFICER: Maggie McWhinnie

No objection.

I trust this information is of use to you.

ENVIRONMENTAL HEALTH

CLACKMANNANSHIRE LICENSING REPORT 2023-2024

THIS PAPER RELATES TO ITEM 5
ON THE AGENDA



**POLICE
SCOTLAND**
Keeping people safe

Foreword

I am pleased to introduce the Annual Licensing Report for 2023/24, in accordance with Section 12(A) of the Licensing (Scotland) Act 2005.

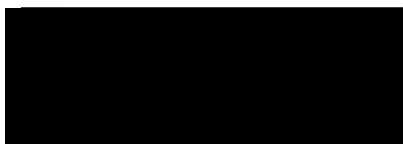
Since taking up the position of Chief Constable of Police Scotland in October 2023 I have been committed to focusing on working closely with communities to solve problems through proactivity.

In respect of Licensing, this has been made possible with the continued support of the 32 local authorities across Scotland as well as many other associated national and local partnerships.

This collaborative working ensures a fair approach to licensing for the benefit of the licensed trade while simultaneously preventing alcohol fuelled violence, disorder and antisocial behaviour.

In the year ahead our approach will remain focused on prevention and collaboration to ensure high standards of service delivery. I will continue to encourage officers and staff to utilise the range of options available to them to maintain and improve licensing standards and to positively influence behaviour in and around all licensed premises throughout Scotland.

I would like to take this opportunity to thank our local partnerships for their contribution to maintaining high standards and driving improvement where necessary within the Licensed Trade for the benefit of the communities we all serve.



Chief Constable Jo Farrell

Police Scotland Licensing Overview

The Violence Prevention and Licensing Co-ordination Unit (VPLCU) sits within Policing Together, based at Dalmarnock Police Station, Glasgow.

The VPLCU upholds the two-tier structure for licensing which supports both national and local priorities through service delivery. They have overall responsibility for determining and delivering national licensing strategy and policy, by providing advice, guidance and support to divisional licensing teams as well as undertaking other specialist functions.

The Violence Prevention and Licensing Co-ordination Unit is a specialist department which consists of a small team of officers. The officers within the unit work with divisional licensing teams and partner agencies to help shape policy and strategy around the police licensing function. They provide practical and tactical advice to police licensing practitioners, operational officers, supervisors and policing commanders.

The VPLCU seek to ensure that legislation governing the sale and supply of alcohol is applied consistently across the country and all opportunities are taken to stop the illegal or irresponsible sale, supply or consumption of alcohol, with the intention of preventing and reducing crime and disorder.

During 2023/2024, from a licensing perspective, our particular focus was on the following:

- Scrutiny of the serious incidents of violence, disorder and antisocial behaviour linked to licensed premises.
- Working closely with licensed premises.
- Governance of the National ICT Licensing System, known as 'Inn Keeper,' to increase the efficiency and effectiveness of liquor and civic licensing administration and management.

Each of the 13 Local Policing Divisions have a licensing team responsible for the day to day management of licensing administration, complying with statutory

requirements as well as addressing any issues that may arise within licensed premises in their local area.

Licensing Board Area

The Clackmannanshire local authority area is policed by Forth Valley Division.

Chief Superintendent Roddy Irvine is the Police Divisional Commander who has overall responsibility for all day-to-day policing functions.

The officers who have responsibility for licensing within the area of Clackmannanshire are as follows:

Local Area Commander; Chief Inspector Katrina Thompson

Superintendent (Partnerships); Superintendent Ross McCallum

Inspector, Preventions and Interventions; Inspector Emma Patrick

Licensing Sergeant; Sergeant David Bellingham

The Clackmannanshire Area Command serves over 51,000 local residents over an area covering over 61 square miles incorporating both urban and village communities. The sub-divisional headquarters are based in the council headquarters at Kilncraigs in Alloa.

There are a total of 134 licensed premises located throughout the Clackmannanshire Area Command. The highest concentration of premises are within Alloa town centre which has one nightclub and numerous bars.

Local Policing Priorities

Following our public consultation process, the policing priorities for Forth Valley Division, as set out in our Local Policing Plan, are as follows:

- Protecting people most at risk of harm;
- Responsive to the concerns of the communities;
- Road safety and road crime;
- Enhancing our collective resilience to emerging threats;
- Promoting confidence through our actions.

Police Officers who work locally within Clackmannanshire Area Command and officers from the police Licensing Department, always have these priorities at the forefront of their mind during engagement with licensed premises staff and members of the community.

Operation of the Licensing (Scotland) Act 2005

It is recognised that the misuse of alcohol can be harmful and damaging to our communities. Alcohol is very often a contributory factor in the calls that police officers attend, from low level anti-social behaviour to domestic abuse and incidents of serious violence and injury.

To put this in perspective, in the year under report there were 613 cases of violent crime recorded within the Clackmannanshire Area. There were 409 cases of disorder.

In terms of offences linked directly with licensed premises, there were a total of 51 cases of violent crime and 26 cases of disorder.

Police Scotland no longer holds the data which links offending and perpetrators who were drunk or under the influence of alcohol at the time the offence was committed. It is also important to note that in cases when perhaps the accused was not immediately traced by police, being under the influence of alcohol or drunk could not be ascertained. Therefore, it is a possibility that percentages of those under the influence of alcohol or drunk when committing offences could be higher.

The specific crime types are detailed in the statistics below and show common assault and threatening abusive behaviour as by far the most common charges. Although not recorded as officially linked to licensed premises, those involved in other crimes will have purchased their alcohol from a licensed premises somewhere along the line, whether this has been sold responsibly or otherwise.

It is the responsibility of Police Scotland to ensure that staff in licensed premises are complying with the licensing objectives as detailed in the Licensing (Scotland) Act 2005, and to take the necessary action when it is established that this is not the case. It is also the responsibility of the police to ensure that those conducting themselves improperly on licensed premises are reported to the Procurator Fiscal and brought to justice.

The policing of licensed premises in Clackmannanshire continues to be managed by the Clackmannanshire Area Command Weekend Policing Plan which is adapted weekly to take into account intelligence and recent incidents relating to licensed premises. The Divisional Alcohol and Violence Reduction Unit and Community Policing Teams resource this plan and conduct default patrols in Alloa town centre

OFFICIAL

and around known hotspots as part of the plan. The focus of this is prevention, positive engagement, and enforcement, as appropriate.

The Licensing Department review data from police systems daily and prepare a weekly report detailing all incidents within or connected to licensed premises throughout Clackmannanshire Area Command. This includes police reports, reported incidents in relation to licensed premises and any intelligence that is received. The report also includes any significant events which are taking place and details of occasional licences and extended hours granted to licensed premises. This information is shared weekly when the Licensing Department meets with Chief Inspector Thompson.

If patterns are identified within a licensed premises which give cause for concern, then the premises become a monitored premises and will be inspected on a more frequent basis by local officers. All information in relation to these visits is fed back to the licensing department, which considers any further action required.

If a premises is monitored, the additional visits also provide support for the premises staff, and any anti-social behaviour on the premises is dealt with robustly by the police officers in attendance. As can be seen from the attached statistics there have been very few offences relating to the Licensing (Scotland) Act 2005 within licensed premises although, as previously stated, there have been 51 charges involving violence and 26 disorder charges linked with licensed premises during the period of this report.

It is worth noting that there was also 1 charge in relation to persons consuming alcohol in a designated public place. These charges are generally as a result of proactive work on the part of the police to prevent this type of anti-social behaviour on the streets. The number of such offences in Clackmannanshire has been in single figures for many years now. There are also a significant number of proactive inspections of licensed premises conducted, to ensure compliance with the legislation and the licensing objectives.

During the period under report there were 953 proactive visits to licensed premises throughout Clackmannanshire Area Command which is up from 367 in the preceding year. These visits include inspections of town centre premises but also a significant amount of visits to premises based in less urban areas that are carried out by police and often done jointly with the Licensing Standards Officer. Many of these visits are carried out at peak times. The significant increase in these visits demonstrates the commitment from the Area Commander to ensure licensing objectives are maintained within the area. These visits also serve to build positive relationships with licensed premises and show our commitment to support the licensed trade.

Monitoring / Interventions

Generally, if an incident occurs at licensed premises, contact is made with those in a position of responsibility, the incident discussed and any necessary action taken. In the majority of cases this prevents the repeat of any like incident. As mentioned in the previous section, if a premises gives cause for concern then it becomes a monitored premises. This involves local officers and officers from the licensing

department engaging with staff in an attempt to identify why there may have been repeated incidents occurring on the premises and offering the necessary advice and support.

If there is no improvement then officers from the licensing department meet with the Designated Premises Manager and in some cases the Premises Licence Holder and prepare an intervention plan which the police and the DPM/Licence holder sign. This involves agreed measures which will be taken to improve the operation of the premises; better staff training, a change in the hours stewards are employed, ensuring peak periods are covered, or more frequent toilet checks. The plans that are put in place are dependent on the problems being encountered.

Should the staff on the premises prove uncooperative and the problems continue then consideration would be given to submitting an application for review of the premises licence under Section 36 of the Licensing (Scotland) Act 2005, or a review of the personal licence of staff involved under Section 84A of the Licensing (Scotland) Act 2005.

During the period under report there was no requirement to class any premises in Clackmannanshire as monitored premises and no premises were subject to an intervention agreement.

Partnership Working

There is a very cohesive working relationship between Police, Licensing Standards Officers and Environmental Health officers. Often, these collaborative approaches focus on preventing issues from arising and identifying emerging issues early so that these can be resolved prior to enforcement action being necessary. The joint aim is to ensure the highest operating standards are being upheld.

The Licensing Department monitor the conduct of door stewards by delivering a joint approach with SIA Officers in response to any improper conduct by licensed stewards. During 2023/2024, no enforcement action by police was necessary in relation to stewards in the Clackmannanshire area.

Similarly, the Licensing Department maintain close links with Immigration Enforcement to ensure persons are not being employed on premises without permission to work in the United Kingdom. No persons were found to be involved in the sale of alcohol who did not have permission to work in the UK.

Police Officers from the Licensing Department as well as local officers worked closely in partnership with the Licensing Standards Officer to identify and address any emerging issues before they became problematic. It would appear there is general compliance with the law among licensed premises in the Clackmannanshire area. Regular contact between the police and these partners assists with the flow of information and ensures that any emerging issues can be dealt with effectively.

It should be noted that the management and staff of licensed premises are also assessed to be partners in our efforts to combat alcohol related crime and disorder. By developing good working relations with those in the trade, local officers have

been able to develop community intelligence, assisting in detecting outstanding offences and disrupting those who involve themselves in serious criminality.

Licensing Policy Statement

Having been involved in 2018 in the development of the Clackmannanshire Licensing Board Statement of Licensing Policy 2018 – 2023, Police Scotland continued to take the Board's policy statement into account when assessing applications for licences and during discussions within the Licensing Forum. The Statement of Policy assists officers in understanding the expectations of the Board and ensuring that their actions are consistent with the aims and objectives of the Board. The policy is currently being reviewed and Police Scotland have contributed, and this includes statistical data for the question of overprovision. Whilst realising that the overprovision requirement is a complex and lengthy process, we will ensure Police Scotland are an effective consultee.

Exclusion Orders / Closure Orders

Where a person is being reported to the Procurator Fiscal for an offence involving violence on licensed premises, the police can request that consideration is given to imposing an exclusion order if a person is convicted. Section 94 of the Licensing (Scotland) Act 2005 gives the Court the power to impose an exclusion order preventing the convicted person from entering certain licensed premises for a specified period of time. Police Scotland do not hold information as to how many of these requests are issued to accused persons convicted by the courts.

Under section 97 of the Licensing (Scotland) Act, police can apply to the Licensing Board for a closure order in relation to any premises as a result of a risk of disorder and risk to public safety. Provision also exists for an officer of or above the rank of Inspector to make an emergency closure order in certain circumstances. During 2023/2024 there has been no necessity to apply for a closure order or implement an emergency closure order in the Clackmannanshire area.

Licensing Forum

A representative from the Police Licensing Department ordinarily attends the local licensing forum to hear from licence holders and members of the public and address any concerns they may have. This also contributes to an effective working relationship with licensed premises staff and ultimately a safer environment for the people of Clackmannanshire. This has yet to be re-established in the Clackmannanshire area, since lockdown when the Coronavirus restrictions were imposed.

Applications For Licences

Section 22 of the Licensing (Scotland) Act 2005 covers applications for a premises licence. All applications for premises licences are considered by police. This is achieved by scrutinising police databases to ensure that the granting of a licence will not present issues for the community. Police officers from the Licensing Department will also contact local police officers to ascertain if they predict any problems with the

granting of the licence and on most occasions will contact the prospective licence holder also. There have been no objections to premises licence applications during 2023/2024.

Section 72 of the Licensing (Scotland) Act 2005 covers applications for a personal licence. All applications for personal licences are considered by police by carrying out checks on police databases. In the year 2023/2024 there were no objections to the grant of a personal licence.

Other Licensing Offences

It is worth noting that there has been no-one reported to the Procurator Fiscal for offences under Section 1 of the Licensing (Scotland) Act 2005 (selling alcohol without a licence), or Section 63 of the Licensing (Scotland) Act 2005 (selling alcohol out with licensed hours), in the Clackmannanshire area during 2023/2024.

There is one charge relating to where a person buys or attempts to buy alcohol for a child.

There is one charge where a person was found in a public place drunk and incapable of looking after themselves. These are specific offences under the Licensing (Scotland) Act 2005.

It can be concluded that through effective analysis of information and strong partnership working underpinned by our local policing priorities, licensed premises in Clackmannanshire operate for the most part effectively and safely and in support of the licensing objectives laid out in the Licensing (Scotland) Act 2005.

Preventing the sale or supply of alcohol to children or young persons

It is recognised that alcohol misuse among children and young persons can be extremely damaging and may result in antisocial behaviour and have a negative impact on the community, as well as the children involved. As can be seen from the attached statistics there is one charge relating to buying or attempting to buy alcohol for a child.

Community Police Officers in Clackmannanshire engage directly with children, educating them as to the potential dangers involved in consuming alcohol. They have the trust of children and young persons in the local community and can gather intelligence in relation to their alcohol consumption and take any appropriate action. The police Preventions and Interventions Department covering Forth Valley also engage with young people throughout the community and deliver presentations that raise awareness of potential risks.

Police officers on day-to-day duties who come across children and young people under the influence of alcohol, share this information with partner organisations such as health, social work and education, so steps can be taken to establish the root cause for these behaviours rather than criminalising these children. As can be seen from the attached statistics, the percentage of criminal activity in and around licensed premises involving children is negligible.

Tackling Serious and Organised Crime

Licensed premises are one type of business known to be used by Serious and Organised Crime (SOC) groups for the purposes of laundering money and the commission of drugs offences. Clackmannanshire Area Command fully engages with Scotland’s SOC Strategy, aiming to Divert, Deter, Detect and Disrupt SOC and the harm it causes. This is not just about drugs, but is also linked to Human Trafficking, Cyber Crime and Sexual Exploitation.

Locally, the Community Policing Teams and Licensing Department regularly engage with the local community and staff within licensed premises ensuring that there is a comprehensive intelligence picture in relation to potential SOC activity within licensed premises in the area. The Licensing Department share information with the Force Disruptions Unit, working to deny persons involved in this type of activity access to licensed premises.

Proposed activity for the year ahead

Police will continue to work alongside partners locally including the Licensing Standards Officer, Environmental Health Officers, HMRC and Trading Standards to ensure that on-sales and off-sales premises are safe places to frequent and socialise in. In so doing it is recognised that those in the licensed trade are valuable partners in working towards these objectives and we will work with them wherever possible.

As new challenges are presented, Police Scotland will seek to adapt and respond in a reasonable and proportionate manner to ensure that the licensing objectives and public safety are at the heart of our joint efforts in relation to licensed premises. Intelligence led policing of licensed premises will continue, responding to the concerns of our communities and taking enforcement action when necessary.

To conclude, we would like to thank you for your continued support during what has been another challenging year for all. We look forward to a safe and healthy 2024/2025.

Offence Description	Licensed Premises	Other locus type	% Licensed Premises	Total Offences
Assault, Threaten, Abuse Retail Worker Engaged In Retail Work	4	24	10.0	28
Breach Of The Peace	0	10	28.6	10
Threatening Or Abusive Behaviour	15	398	6.4	413
	19	432	7.0	451
Assault	34	466	9.5	500
Assault, Assist Officer In Execution Of Their Duty	0	88	0.0	88

OFFICIAL

Assault, Obstruct Or Hinder A Member Of The Emergency Services	4	42	100.0	46
Assault, Obstruct Or Hinder Emergency Worker	0	2	0.0	2
Attempted Murder	0	3	0.0	3
Attempted Robbery	0	2	0.0	2
Murder	0	0	0.0	0
Robbery	0	14	0.0	14
	38	617	9.2	655
Act In Racially Aggravated Manner With Intent To Cause Distress And Alarm	3	24	5.0	27
	3	24	2.4	27
	60	1073		1133

Statistical data for period 1 April 2023 to 31 March 2024:

**Clackmannanshire Area Command
Violent Crime and Disorder for the period 01/04/2023 to 31/03/2024**

Crime Type	Offence Description	Total Offences
Licensing Offences	A Person Behaves In A Disorderly Manner And Refuses/Fails To Leave Premises On Being Asked	4
	Attempt To Enter Relevant Premises While Drunk.	1
	Buying Or Attempting To Buy Tobacco Or Cigarette Papers For Person Under 18 Years Old	1
	Consume Alcohol In A Designated Public Place - Local Order	3
	Drunk & Incapable	1
	Person Buys Or Attempts To Buy Alcohol For A Child	1
	Refuse To Leave After End Of Licensed Hours When Asked To Do So	1
	Responsible Person Drunk Whilst On Relevant Premises	1
	Licensing Offences Total	13

Crime Type	Locus Type	Detected	Not Detected	% Detected	Total Offences
Disorder	Licensed Premises	15	4	78.9	19
	Other	342	90	79.1	432
Disorder Total		357	94	79.1	451
Violent Crime	Licensed Premises	32	6	84.2	38
	Other	432	185	70.0	617
Violent Crime Total		464	191	70.8	655
Racially aggravated	Licensed Premises	2	1	66.6	3

OFFICIAL

harassment/conduct					
	Other	20	4	83.3	24
Racially aggravated harassment/conduct Total		22	5	81.1	27
Grand Total		843	290	74.4	1133