

03 OCT 2024



Clackmannanshire
Council

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Comhairle Siorrachd
Chlach Mhanann

APPLICATION FOR VARIATION OF PREMISES LICENCE

Licensing (Scotland) Act 2005, Section 29

To:

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

**THIS PAPER RELATES TO
ITEM 4iii**

ON THE AGENDA

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

APPLICANT INFORMATION

Question 1

Name, Address, Postcode and Licence Number of Premises.

Lodge Ladywell (1474) Social Club
6A Banchory Place
Tullibody
FK10 2SL

CC111

Question 2

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

Lodge Ladywell (1474) Social Club
6A Banchory Place
Tullibody
FK10 2SL

DETAILS OF VARIATION

Question 3

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

Convert the premises from a members club type licence to an open licence and nominate a premises manager

Vary the terms of the current Operating Plan to reflect new requirements as described in the proposed operating plan.

OPERATING PLAN

Question 4

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

YES/NO

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

LAYOUT PLAN

Question 5

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

YES/NO

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

CONDITIONS

Question 6

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

Yes

If Yes please give details of the proposed variation below

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

Remove the Local conditions that relate to "members clubs"

PREMISES MANAGER

Question 7

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

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

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

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

Name and Address of the Proposed Premises Manager

Russell Scott [REDACTED]

Date and Place of Birth of the Proposed Premises Manager

[REDACTED]

Email Address and Telephone Number of the Proposed Premises Manager

[REDACTED]

Personal Licence

Date of Issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence
27/07/2022	Clackmannanshire Licensing Board	CC949

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

YES/NO


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

Immediately on grant of the variation

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

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

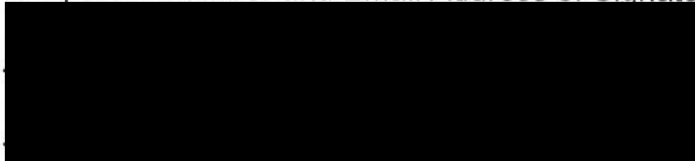
The Contents of This Application Are True to the Best of my Knowledge and Belief.

Signature ...  * (See Note Below)

Date ... 19/8/24

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

Telephone Number and Email Address of Signatory



*** 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

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

Checklist	
Fee enclosed	
Application signed/dated	
Original Licence enclosed or a Statement of reasons for failing to produce the Licence	
New Operating Plan Enclosed	
New Layout Plan Enclosed	



Partnership and Performance

Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: 01259 450000

Memo

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

From: **Paul Fair
Licensing Standards Officer**

Extension: **2091**

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

Our Ref: **PF/LSO/NPL/REP/CC111**

Your Ref:

Date: **27 January 2025**

Subject: **Licensing (Scotland) Act, 2005. Section 29
Non Minor Variation – Conversion from trade as a Members Club
Lodge Ladywell Social Club, 6a Banchory Place, Tullibody**

1. Having considered the content of the application to vary the premises licence, 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 non minor variation.
3. The variation seeks to change status of the premises from that identified as a “Members Club” to what we could refer to as an “Open Licence”
4. I have no concerns about the proposed changes and I have discussed at length the implications and responsibilities that this variation will place on the premises manager and licence holder.
5. I understand that the applicant has complied with the necessary site notice requirements
6. The conversion from trading as a Members Club, to an open licence is a common occurrence in Scotland and I am unaware of any particular issues connected with the practice.
7. The only matter that is amended in the proposed operating and layout plan that may be of particular interest to the Licensing Board is the introduction of an outdoor drinking area to the East of the club.
8. The applicant has been given guidance in relation to the operation of the proposed outdoor area and has accepted that the use of this area may be subject to additional local conditions.
9. 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 variation as applied for then they should apply additional local conditions of the type suggested in the Clackmannanshire Licensing Board Statement of Licensing Policy.

10. 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 use of outdoor drinking areas.
11. The Licensing Board should also remove the local conditions on the premises licence that relate to members clubs
12. I have no further concerns about the application.

Paul Fair

Licensing Standards Officer.

Appendix A

Draft Local |Conditions Outdoor Drinking Areas.

These conditions may only be applied by the licensing Board once they confirm that it is necessary and expedient or the purposes of the licensing objectives.

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. No live or recorded music, live performances or other entertainment being offered on the premises should be audible or visible in the outdoor area.
4. Customers using the outdoor drinking area shall at all times be supervised and/or monitored to ensure that nuisance or annoyance to neighbouring residents is not caused. In particular staff must take all reasonable steps to prevent shouting, singing and disorderly conduct within the outdoor area.
5. Customers consuming alcohol must not be permitted to not encroach on to the footpath or any adjoining public area outwith the boundaries of the licensed outdoor drinking area.
6. 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.
7. 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.
8. Where smoking is permitted in the outdoor drinking area, ashtrays or other suitable receptacles will be provided.
9. 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.
10. 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.

11. 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:

- Noise;
- Conduct of Customers;
- Children's and Young Person's Access to the Area;
- Permitted hours of use.

12. Outdoor drinking areas which are adjacent to a public place or public footpath, must at all times when the area is in use be clearly delineated by a physical barrier making the extent of the licensed area clear and obvious to any person using the area or using the adjacent public place or footpath.

13. Where the outdoor area is adjacent to an area that is located within the confines of any public alcohol consumption byelaw area then a notice (at least A4 in size) to this effect must be erected in a position that it is clearly visible and legible by the licence holder within the area reminding patrons of the consequences of consuming alcohol in the byelaw area.

31/12/2024

Your Ref: CC111

Our Ref: 887730

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 VARIATION OF A PREMISES LICENCE
LODGE LADYWELL (1474), 6A BANCHORY PLACE, TULLIBODY,
CLACKMANNANSHIRE, FK10 2SL.**

I refer to the above variation of a premises licence in terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of change from members club and amend operating form to reflect this. New DPM: Russell Scott.

In terms of Section 29(5) this request can be considered a variation.

I have no adverse comment to make regarding the variation proposed.

Yours faithfully

Roddy Irvine
Chief Superintendent
Divisional Commander

For enquiries please contact the Licensing Department on 01786 456026.

