



**MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA, on TUESDAY 30 SEPTEMBER 2025 at 9.30 am.**

**PRESENT**

Councillor Kenneth Earle (Chair)  
Councillor Donald Balsillie  
Councillor William Keogh (Via Teams)  
Councillor Darren Lee (Via Teams)  
Councillor Graham Lindsay  
Councillor Mark McLuckie

**IN ATTENDANCE**

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

**1.0 APOLOGIES**

Apologies were received from Councillor Martha Benny and Councillor Fiona Law. Councillor Law was unable to attend the Licensing Board as she was attending a meeting of the NHS Forth Valley Board, representing Clackmannanshire Council.

**2.0 DECLARATIONS OF INTEREST**

None.

**3.0 MINUTES OF MEETING OF CLACKMANNANSHIRE LICENSING BOARD HELD ON 20 MAY 2025**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 20 May 2025 were submitted for approval.

**Decision**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 20 May 2025 were agreed as a correct record and signed by the Chair.

The Chair, Councillor Earle invited attendees to introduce themselves to the meeting.

#### 4.0 LICENSING (SCOTLAND) ACT 2005:

##### **Application for Provisional Premises Licence for Tesco Express, Unit 28A Sterling Mills, Tillicoultry, Clackmannanshire, FK13 6HQ**

##### **Attending**

Mr Paul Fair, Licensing Standards Officer (LSO)

Ms Audrey Junner, Miller Samuel Hill Brown Solicitors (Applicant's Representative)

Ms Hardish Purewar, Licensing Manager, Tesco (Applicant)

The Board heard from the Licensing Standards Officer who advised that the application sought to make provisional grant to make sales of alcohol. The LSO's concern was that Tesco are also seeking to use the premises at some point in the future for home delivery for alcohol. He highlighted that home delivery is a matter that the Board had considered during review of the Statement of Licensing Policy and suggested that it may be necessary to apply local conditions as appended to his report. However, during a final discussion with the applicant prior to the Board meeting, the applicant sought to make very slight amendments to the LSO's suggested conditions. The LSO advised that he had no difficulty with these as they didn't change the nature of the compliance, they just changed slightly to fit the business model Tesco will be operating under. These changes were to:

**Conditions 3 & 6:** The words "and premises managers" will be removed – the nature of the change is to put the entire liability on the control on the licence holder and not the individual premises manager.

**Conditions 4 & 9:** The words "kept on the premises" will be changed to "made available from the premises" – these records are stored electronically, and Tesco have committed to making them available to the LSO or the police or anybody that needs to see them at the store, but they won't necessarily be kept physically on the premises.

**Condition 7:** The words "signed for" will be removed - this is a technical amendment that caused no difficulty for the LSO because of the nature of how home deliveries work. The Royal Mail do offer age verified and signed for delivery services, however, age verified delivery services, including the third party that Tesco intend to use are not necessarily a signed for service. Tesco have indicated that they will ensure that deliveries of alcohol are only left at the address on the delivery route with an adult over 18 and not left in safe places or similar.

**Condition 8:** The words "retained on the premises" will be changed to "made available from the premises" – these records are stored electronically, and Tesco have committed to making them available to the LSO or the police or anybody that needs to see them at the store, but they won't necessarily be retained physically on the premises.

The LSO confirmed that these changes have little or no effect on the structure of the licence. Conditions are still satisfied and are necessary for the purposes of the licencing objectives and to achieve the aim of the licencing policy and making sure that home delivery of alcohol is regulated and carried out safely.

The LSO further advised the Board that the premises have been granted three sets of occasional licences allowing them 6 weeks of trade, so as soon as they're able to train staff, they're able to open and begin trading. The occasional licences have not permitted home delivery of alcohol as the LSO felt it was necessary that local conditions were applied to home delivery. There's a delay period between final acts of construction and conversion and Tesco obtaining their section 50 certificate that they would require to confirm the provisional licence into a full licence and that will be done out with the Board under delegated powers and a site visit will be carried out to confirm that everything is as per the application, before the licence is handed over.

Audrey Junner, Miller Samuel Hill Brown Solicitors, Tesco's representative advised that it is hoped that the new Tesco Store at the eastern entrance of Sterling Mills will open in late November and they have been working with the Licensing Team regarding the occasional licences. She confirmed that they are in absolute agreement with the conditions that have been proposed and expressed her gratitude to the LSO for working together to get the terminology to work for Tesco. She confirmed that they expect to employ twenty members of staff of which three will be personal licence holders.

## **Motion**

Having considered all the information presented to it and having had opportunity for questions, that the Board grants the application for the Provisional Premises Licence subject to applying the Local Conditions for Home Delivery of Alcohol (as amended).

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

## **Decision**

As there were some technical difficulties with MS Teams, Councillors Keogh and Lee were unable to verbally confirm their vote, but indicated via a "thumbs up", their approval.

Having considered all the information presented to it and having had opportunity for questions, the Board agreed to grant the application for the Provisional Premises Licence subject to applying the Local Conditions for Home Delivery of Alcohol (as amended), namely:

### **Local Conditions for 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 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 made available from 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 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 only an age verified 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 made available from 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 made available from 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**

Clerk to the Board

## **5.0 GENERAL EXTENSION OF LICENSED HOURS – FESTIVE PERIOD 2025-26**

The report, submitted by the Clerk to the Board, enabled the Licensing Board to consider its approach to the festive period 2025-6.

The Clerk advised that there was a typographical error in Recommendation 3.1.3 that the “periods from 19<sup>th</sup> December 2025 to 2<sup>nd</sup> January 2026 inclusive” should read: “periods from 19<sup>th</sup> December 2025 to **3rd** January 2026 inclusive”.

### **Motion**

That the Board agree the recommendations set out in the report, subject to the correction advised by the Clerk.

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

### **Decision**

As there were some technical difficulties with MS Teams, Councillors Keogh and Lee were unable to verbally confirm their vote, but indicated via a “thumbs up”, their approval.

The Board:

1. Noted that the Statement of Licencing Policy has incorporated the Festive Policy
2. Agreed that any general extension incorporated into the Statement of Licensing Policy 2023 shall be in place during the periods from 19<sup>th</sup> December 2025 to 3<sup>rd</sup> January 2026 inclusive.
3. Noted that the final general extension incorporated into the Statement of Licensing Policy shall end 3<sup>rd</sup> January 2026, as this is the last non-working day of the festive period.

### **Action**

Clerk to the Board

Ends: 9.56 am