Public Document Pack

THE ARGYLL AND BUTE LICENSING BOARD

Tel. (01546) 604128

Kilmory Lochgilphead

11 February 2021

Dear Sir/Madam

LICENSING (SCOTLAND) ACT 2005

A meeting of the ARGYLL AND BUTE LICENSING BOARD will be held in the BY SKYPE on TUESDAY, 16 FEBRUARY 2021 at 11:00 AM, which you are requested to attend.

Yours faithfully

DAVID LOGAN

Clerk to the Board

To: All Members of the Licensing Board

BUSINESS

- 1. APOLOGIES
- 2. DECLARATIONS OF INTEREST
- 3. APPROVAL OF MINUTES FROM LICENSING BOARD MEETING OF 10TH NOVEMBER 2020
- 4. APPLICATION FOR A PREMISES LICENCE
 - (a) Deer Island Distillers Limited, Unit 3, The Pier Garage, Craighouse, Isle of Jura, PA60 7XS (Pages 5 10)

Summary Sheet attached – Item 4(a)

(b) Tigh Na Mara Guesthouse, Arinagour, Isle of Coll, PA78 6SY (Pages 11 - 16)

Summary Sheet attached – Item 4(b)

5. APPLICATION FOR MAJOR VARIATION OF A PREMISES LICENCE

(a) Cairnbaan Hotel, Cairnbaan, Lochgilphead, PA31 8SJ (Pages 17 - 24)

The applicant wishes to vary the licence as follows:-

- 1) To add a further external area to the licensed area.
- 2) To add takeaways as an activity on the licence.

Summary Sheet attached – Item 5(a)

(b) Dalavich Social & Recreational Club, Dalavich, by Taynuilt, PA35 1HN (Pages 25 - 30)

The applicants wish to vary the licence as follows:-

- 1) To amend core on-sales opening times.
- 2) To amend the seasonal variation.
- 3) To amend the Children and Young Person conditions.

Summary Sheet attached – Item 5(b)

(c) Etive Restaurant, 43 Stevenson Street, Oban, PA34 5NA (Pages 31 - 32)

The applicant wishes to vary the licence as follows:-

- 1) To add off-sales hours to the licence.
- 2) To add takeaways and deliveries of food and alcohol.

Summary Sheet attached – Item 5(c)

(d) Tarbert Bowling Club, Campbeltown Road, Tarbert, PA29 6SX (Pages 33 - 36)

The applicants wish to vary the licence as follows:-

1) To add an external licensed area around the perimeter of the bowling green.

Summary Sheet attached – Item 5(d)

(e) Taynuilt Hotel, Taynuilt, Argyll, PA35 1JN (Pages 37 - 52)

The applicant wishes to vary the licence as follows:-

1) Addition of a further external licensed area to the premises.

Summary Sheet attached – Item 5(e)

6. REVIEW OF PERSONAL LICENCES

(a) Revocation of Personal Licences where licence holders have not undertaken the refresher training.

A list of personal licences to be revoked is attached

(b) Revocation of personal licences where licence holders have not applied to renew their licence. (Pages 53 - 54)

A list of personal licences to be revoked is attached

7. ANY OTHER BUSINESS

(a) Report by the Depute Clerk on the payment of annual licensing fees.

8. NEXT LICENSING BOARD MEETING

The next Licensing Board Meeting will be held on 27th April 2021.

Argyll and Bute Licensing Board

Councillor Gordon Blair
Councillor Lorna Douglas
Councillor Kieron Green
Councillor Roderick McCuish
Councillor Sandy Taylor
Councillor Councillor Roderick McCuish
Councillor Sandy Taylor
Councillor Roderick McCuish

Contact: Margaret MacLean Tel: 01546 604128



APPLICATION FOR GRANT OF A PREMISES LICENCE

NAME OF PREMISES: Deer Island Distillers Limited, Unit 3, The Pier Garage, Craighouse, Isle of

Jura, PA60 7XS

APPLICANT: Deer Island Distillers Limited, Corran House, Craighouse, Isle of Jura, PA60 7XZ

AGENT: n/a

DESCRIPTION OF PREMISES:

A garage style unit, located amongst 4 other business units. The primary function of the site is for the blending and spicing, bottling and labelling of our rum spirit drink. The site will include floor space for a shop where we will sell the rum we produce and some related apparel. We will also provide tours of the site which will include the chance to taste the product.

	LICENSED HOURS APPLIED FOR		
	ON SALES	OFF SALES	
Monday	12.00 to 18.00	10.00 to 22.00	
Tuesday	12.00 to 18.00	10.00 to 22.00	
Wednesday	12.00 to 18.00	10.00 to 22.00	
Thursday	12.00 to 18.00	10.00 to 22.00	
Friday	11.00 to 19.00	10.00 to 22.00	
Saturday	11.00 to 19.00	10.00 to 22.00	
Sunday	11.00 to 19.00	10.00 to 22.00	

ACTIVITIES:- Distillery tours and tastings.

SEASONAL VARIATION:- Due to the reduction in tourism during winter months reduced hours will be operated from 1st November to 1st March each year.

CHILDREN & YOUNG PERSON'S CONDITIONS:-

TERMS - Children of all ages and young persons will be allowed access in the company of an adult aged 18 years or over for the sole purpose of taking part in organised tours of the premises.

ITEM 4(a)

AGES - Children of all ages (birth to 15 years); Young persons (aged 16 & 17 years).

TIMES - During core on sales licensing hours.

PARTS - All public parts of the premises

CAPACITY OF PREMISES:- On sales – 13

LSO COMMENTS: This is an application for a new grant of premises licence to allow on sales (tastings) and off sales of alcohol from the subject premises. The site will be a garage style unit, located amongst 4 other similar units. The primary function of the premises will be the blending, spicing, bottling and labelling of rum for sale by retail to the public. The site will include floor space for a shop where the rum and other merchandise will be sold. There will also be distillery tours and tastings.

Layout Plan

The layout plan depicts the licensed area bounded in red. As this is on sales with an off sales facility, there is no alcohol display area – the whole area within the red boundary will be licensed.

Operating Plan

On & off sales - as the premises are providing tastings on the premises as part of the tour experience, both on and off sales have been recorded on the operating plan.

On sales hours – 1200 to 1800 Monday to Thursday and 1100 to 1900 Thursday to Sunday. Off sales hours – 1000 to 2200 daily.

Seasonal Variation

Proposed seasonal variation -

"Due to the reduction in tourism during winter months reduced hours will be operated from 1st n

November to 1st March each year."

Board's policy statement on seasonal variations -

'The Management reserve the right to open the business one hour later than the commencement of licensed core hours or close one hour earlier than termination of core hours on any day of the week during winter months i.e. 1st October to 31st March.'

Taking into account the seasonal aspect of the business offering and the remote location of the premises, the Board may wish to look favourably on this seasonal variation.

Additional Activities (Question 5(f))

Distillery tours and tastings.

Online sales.

The applicant has been made aware of the rules for online sales and this will be monitored through inspection.

ITEM 4(a)

Children and young person access (Question 6)

The applicant has proposed the following access statement which has been acceptable to the Board in the past –

Terms

Children of all ages and young persons will be allowed access in the company of an adult aged 18 years or over for the sole purpose of taking part in organised tours of the premises.

<u>Ages</u>

Children of all ages (birth to 15 years)

Young persons (aged 16 & 17 years)

<u>Times</u>

During core on sales licensing hours

<u>Parts</u>

All public parts of the premises

Capacity

13 persons

EHO

No issues. Covid-19 Risk Assessment submitted.

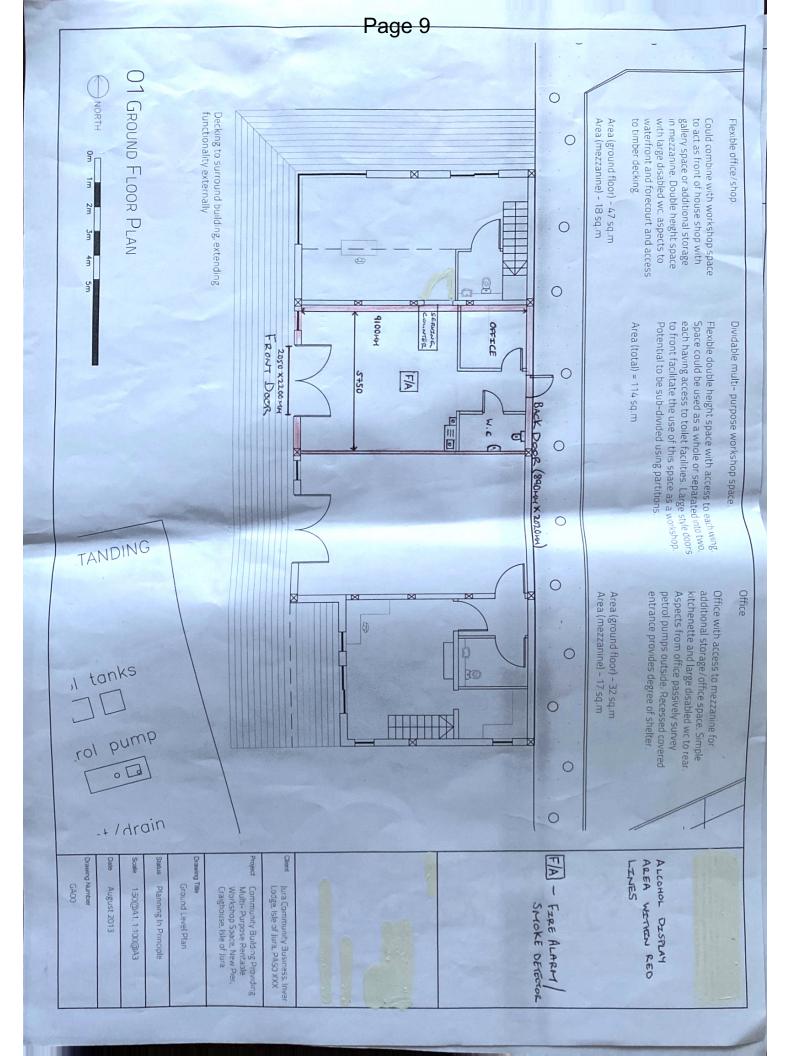
POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:-

1. Still awaiting the section 50 certificate from Building Standards. If this is not received prior to the Board meeting then this will be dealt with as an application for a provisional premises licence.







APPLICATION FOR GRANT OF A PREMISES LICENCE

NAME OF PREMISES: Tigh na Mara Guesthouse, Arinagour, Isle of Coll, PA78 6SY

APPLICANT: Paula-Jean Smalley, Gordonlea, Arinagour, Isle of Coll, PA78 6SY

AGENT: n/a

DESCRIPTION OF PREMISES:

A 7 bedroom Guesthouse on the Isle of Coll. We are on the outskirts of the village of Arinagour, are detached, in our own extensive grounds and with no direct neighbours.

	LICENSED HOURS APPLIED FOR		
	ON SALES	OFF SALES	
Monday	17.00 to 22.00	n/a	
Tuesday	17.00 to 22.00	n/a	
Wednesday	17.00 to 22.00	n/a	
Thursday	17.00 to 22.00	n/a	
Friday	17.00 to 22.00	n/a	
Saturday	17.00 to 22.00	n/a	
Sunday	17.00 to 22.00	n/a	
		, -	

ACTIVITIES:- Accommodation; Restaurant facilities; packed and take away lunches.

SEASONAL VARIATION:- n/a

CHILDREN & YOUNG PERSONS CONDITIONS:-

TERMS - Only children of guests allowed entry. All children will be accompanied by an appropriate adult aged 18 years or over

AGES - Children of all ages (birth to 15 years) and young persons (16 & 17 years)

TIMES - Children and young persons will be allowed entry at all times provided they are resident guests.

ITEM 4(b)

PARTS - All parts of the premises apart from the kitchen and utility room, these are locked when not in use

CAPACITY OF PREMISES:- On sales – 17

LSO COMMENTS: Tigh na Mara is a detached single storey seven bedroom Guesthouse on the Isle of Coll. It sits in its own extensive grounds on the outskirts of the village of Arinagour (see photos below). It has no direct neighbours. This application is to allow the sale and consumption of alcohol by guests on the premises. The licensed area within the premises will be the dining room and lounge, both bounded in red in the submitted layout plan. The alcohol stock will be kept in a cupboard in the kitchen which will be secured with access only to staff.

Operating Plan

On sales only. On sales hours – 1700 to 2200 daily.

Allowable Activities

Accommodation and restaurant facilities.

Activities Outwith Core Licensing Hours

Provision of breakfast facilities to guests prior to core licensing hours but no alcohol will be sold.

Additional Activities

Packed and take away lunches to be available to guests. Alcohol will not be included.

Children & Young Person Access

Terms

Only children of guests allowed entry. All children will be accompanied by an appropriate adult aged 18 years or over.

<u>Ages</u>

Children of all ages (birth to 15 years) and young persons (16 & 17 years)

<u>Times</u>

Children and young persons will be allowed entry at all times provided they are resident guests

<u>Parts</u>

All parts of the premises apart from the kitchen and utility room, these are locked when not in use

Capacity

17 persons.

Premises Manager

At time of writing, application by the applicant for a personal licence is being processed by the licensing section.

EHO

No issues. The submitted Covid-19 Risk Assessment is satisfactory as a working document.



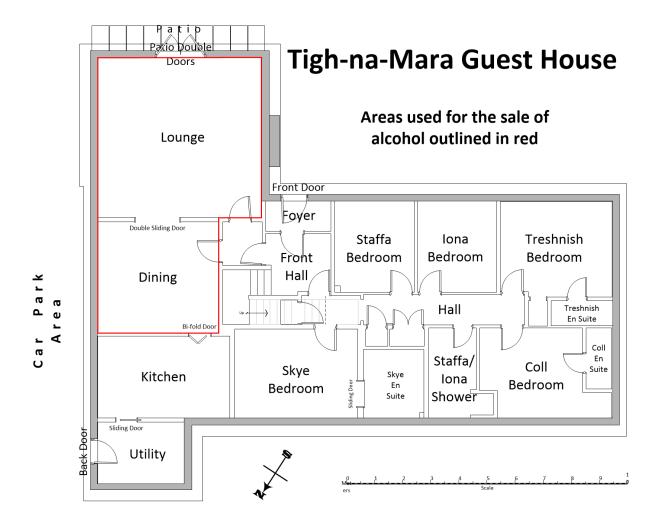


POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:-





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Plan showing Tigh na Mara Guesthouse in relation to Arinagour village



VARIATION OF A PREMISES LICENCE

NAME OF PREMISES: Cairnbaan Hotel, Cairnbaan, Lochgilphead, PA31 8SJ

APPLICANT: Linnet Onboard Catering, Address as above

AGENT: N/A

DESCRIPTION OF PREMISES:

The premises consist of a detached hotel located adjacent to the B841 comprising lounge bar, function suite, dining room, coffee lounge, residents' lounge and bedrooms.

	CURRENT CORE HOURS	
	ON SALES	OFF SALES
Monday	11.00 to 01.00	11.00 to 22.00
Tuesday	11.00 to 01.00	11.00 to 22.00
Wednesday	11.00 to 01.00	11.00 to 22.00
Thursday	11.00 to 01.00	11.00 to 22.00
Friday	11.00 to 01.00	11.00 to 22.00
Saturday	11.00 to 01.00	11.00 to 22.00
Sunday	11.00 to 01.00	12.30 to 22.00

DETAILS OF VARIATIONS SOUGHT:-

The applicant wishes to vary the licence as follows:-

- 1) To add a further external area to the licensed area.
- 2) To add takeaways as an activity on the licence.

CURRENT ACTIVITIES:- Accommodation; Conference facilities; Restaurant facilities; Bar meals; Celebrations; Funerals; Club or other group meetings; Recorded music; Live music; Dance facilities; indoor/outdoor sports; Televised sport; Outdoor drinking.

LSO: This application is to include the outdoor area indicated in the submitted layout plan (see also photos below) to allow outdoor drinking and the consumption of food. The outdoor area will be situated in the Hotel grounds. The applicant is also requesting takeaway food be added as an allowable activity in the operating plan.

The applicant has been using the outdoor area on a temporary basis under occasional licences and no problems or complaints have arisen.

Location of proposed Outdoor Area

The proposed outdoor area will be located adjacent to the main entrance and accessed via a patio (see photos below). The patio is already licensed for outdoor drinking. The proposed area will be physically delineated with barrels, planters and bunting, making it a distinct area apart from its surroundings.

To ensure social distancing there will be a maximum of 8 tables. However if/when restrictions are to be eased, that may rise to a maximum of 10, varying in seating capacity from 2 persons to 6 persons per table.

The applicant has liaised with neighbours and there are no objections to this application.

Outdoor Curfew

The current curfew hour recorded on the operating plan is 2300. The applicant has advised that she is willing for operate under Board curfew policy of 2200 for persons aged 18 years and over and 2000 for children and young persons. Consequently, the operating plan will need updated at the *Activities Outwith Core licensing Hours box* and the *'Times'* box at Children and young person access terms.

Takeaway Food

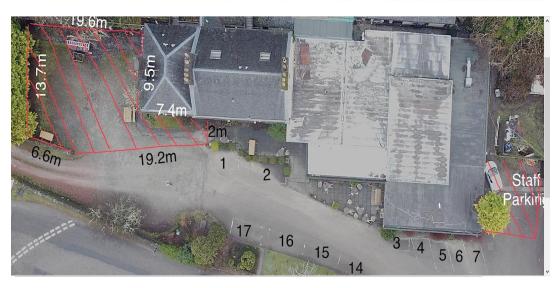
Takeaway food will be for collection only. There will be no deliveries. The operating plan should be updated at Question 5(f) *Additional Activities* to include takeaway of food.

EHO

No issues. Covid-19 Risk Assessment submitted.





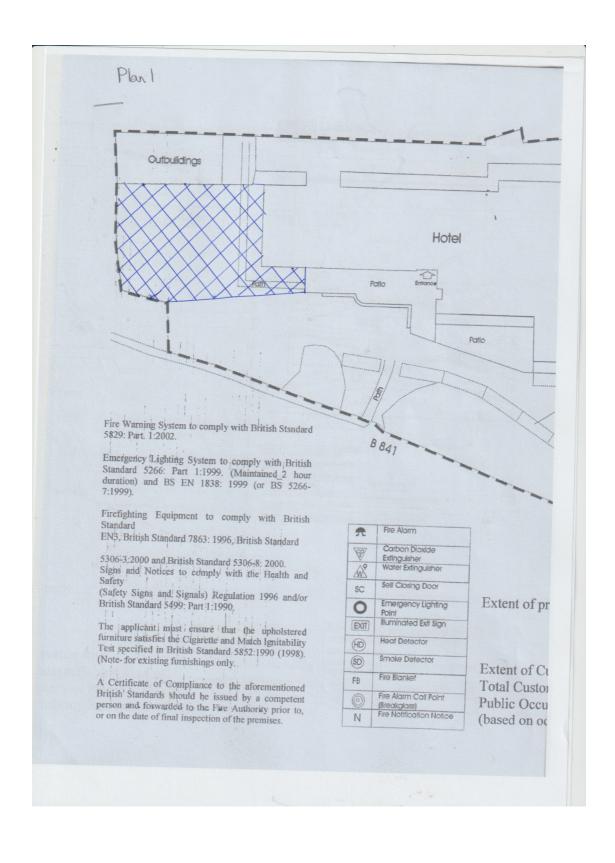


POLICE COMMENTS: No Police objections

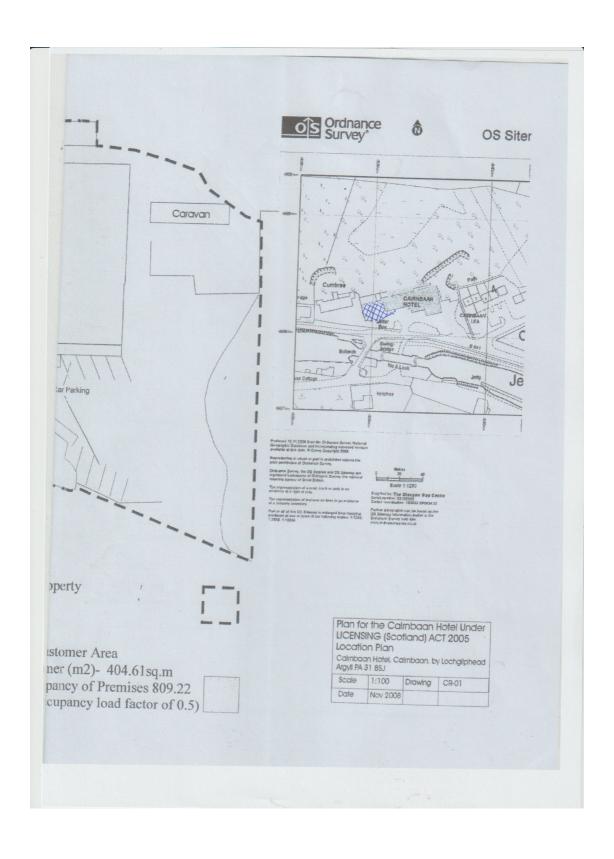
OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:











VARIATION OF A PREMISES LICENCE

NAME OF PREMISES: Dalavich Social & Recreational Club, Dalavich, by Taynuilt, PA35 1HN

APPLICANT: Name and Address as above

AGENT: N/A

DESCRIPTION OF PREMISES:

One and a half storey detached wooden village hall and social club situated at end of village of Dalavich standing in its own ground which contains car parking, providing bar facilities, bar meals in the summer months and functions for members and guests throughout the year, meeting room for local Groups and indoor sports facilities.

	CURRENT CORE HOURS		PROPOSED CORE HOURS	
	ON SALES	OFF SALES	ON SALES	OFF SALES
Monday	18.00 to 23.00	12.30 to 22.00	12.30 to 23.00	12.30 to 22.00
Tuesday	18.00 to 23.00	12.30 to 22.00	12.30 to 23.00	12.30 to 22.00
Wednesday	18.00 to 23.00	12.30 to 22.00	12.30 to 23.00	12.30 to 22.00
Thursday	18.00 to 23.00	12.30 to 22.00	12.30 to 23.00	12.30 to 22.00
Friday	18.00 to 01.00	12.30 to 22.00	12.30 to 01.00	12.30 to 22.00
Saturday	18.00 to 01.00	12.30 to 22.00	12.30 to 01.00	12.30 to 22.00
Sunday	12.30 to 23.00	12.30 to 22.00	12.30 to 23.00	12.30 to 22.00

DETAILS OF VARIATIONS SOUGHT:-

The applicants wish to vary the licence as follows:-

ITEM 5(b)

1) To amend core on-sales opening times.

2) To amend the seasonal variation – Part A only to be amended.

3) To amend the Children and Young Person conditions.

CURRENT ACTIVITIES:- Conference facilities; Restaurant facilities; Bar meals; Celebrations; Funerals; Club or other group meetings; Recorded music; Live music; Dance facilities; Theatre; Gaming; Indoor/outdoor sports; Televised sport; Outdoor drinking.

CURRENT SEASONAL VARIATION:- Winter hours - from 1st November to 31st March or Easter weekend whichever is earlier.

(a) Club closed Monday, Tuesday, Wednesday with restricted opening hours as follows:-

Thursday - 20.00 - 23.00

Friday - 20.00 - 24.00

Saturday - 20.00 - 24.00

Sunday (i) from 1st November until Christmas week 12.30 - 15.00

(ii) From mid January until 31st March 12.30 - 15.00

PROPOSED SEASONAL VARIATION:- Winter Times from 1st November to 31st March or Easter, which is earlier.

(a) Club closed Monday, Tuesday & Wednesday.

Club open Thursday 12.30 - 23.00

Friday 12.30 - 01.00

Saturday 12.30 - 01.00

Sunday 12.30 - 23.00

CURRENT CHILDREN AND YOUNG PERSONS CONDITIONS:-

TERMS - Children and young persons allowed in the premises when accompanied by a responsible adult aged 18 years or over at all times.

AGES - 0 - 17 years

TIMES – Children required to leave the premises by 22.00 unless attending a pre-booked function with family members when they can stay with the family members until end of the function. They are permitted on the external decking area until 20.00.

PARTS - Children can be in the Children's Room, have access to the hall, toilets, external decking area and foyer and at bar tables for consumption of meals accompanied by a responsible adult.

PROPOSED CHILDREN AND YOUNG PERSONS CONDITIONS:-

TERMS – Children and young persons allowed in the premises when accompanied by a responsible adult aged 18 years or over at all times.

AGES - 0 - 17 years

TIMES – Children and young persons required to leave the premises by 21.30 unless attending a prebooked function with family members when they can stay with the family members until end of the function. They are permitted on the external decking area until 20.00.

PARTS - Children and young persons can be in the Children's Room, have access to the hall, toilets, external decking area and foyer and at bar tables for consumption of meals accompanied by a responsible adult.

LSO: This application is to amend core licensing hours; the seasonal variation; and children and young person access.

Operating Plan

On Sales Hours

Current on sales hours – 1800 to 2300 Monday to Thursday; 1800 to 0100 Friday & Saturday; and 1230 to 2300 Sunday.

Proposed on sales hours – 1230 to 2300 Monday to Thursday; 1230 to 0100 Friday & Saturday; and 1230 to 2300 Sunday.

Seasonal Variation

The current Seasonal Variation has three parts, (a), (b) and (c). The applicant only wishes to alter part (a) from -

Winter hours - from 1st November to 31st March or Easter Weekend whichever is earlier.

(a) club closed Monday, Tuesday, Wednesday with restricted Opening hours as follows:-

Thursday - 20.00 - 23.00

Friday - 20.00 - 24.00

Saturday - 20.00 - 24.00

Sunday (i) from 1st November until Christmas week 12.30 - 15.00 and (Ii) from mid-January until 31st march 12.30 - 15.00

To -

Winter hours - from 1st November to 31st March or Easter Weekend whichever is earlier.

(a) Club closed Monday, Tuesday and Wednesday. Club open -

Thursday 1230 - 2300

Friday 1230 - 0100

Saturday 1230 - 0100

Sunday 1230 - 2300

Outdoor Drinking

In the current operating plan a curfew hour of 2200 is recorded in the activities outwith core licensing hours box and a 2000 curfew is recorded in the Times box at children and young person access terms. However, both have been omitted from the operating plan submitted with this application. I ask that both be included in the granted operating plan.

Children and Young Person Access

Current -

Terms

Children and young persons allowed in the premises when Accompanied by a responsible adult at all times.

<u>Ages</u>

0 - 17

Times

Children required to leave the premises by 22.00 unless attending a Pre-booked function with family members when they can stay with the family members until end of the function they are permitted on The external decking area until 20.00.

<u>Parts</u>

Children can be in the children's room, have access to the hall, Toilets, external decking area and foyer and at bar tables for consumption of meals accompanied by responsible adult.

Proposed by applicant -

<u>Terms</u>

Wording unchanged

ITEM 5(b)

<u>Ages</u>

Proposed wording - Under 18 years

<u>Times</u>

Proposed wording – Children permitted until 9:30pm unless attending a pre-booked function when they can remain for the duration.

<u>Parts</u>

Wording unchanged.

EHO

No issues. Covid-19 Risk Assessment submitted.

POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:-



VARIATION OF A PREMISES LICENCE

NAME OF PREMISES: Etive Restaurant, 43 Stevenson Street, Oban, PA34 5NA

APPLICANT: John McNulty, Address as above

AGENT: N/A

DESCRIPTION OF PREMISES:

The premises are in a town centre location, on the ground floor of a tenement building, offering restaurant facilities, for up to 40 covers.

	CURRENT CORE HOURS		PROPOSED CORE HOURS	
	ON SALES	OFF SALES	ON SALES	OFF SALES
Monday	12.00 to 24.00	N/A	12.00 to 24.00	12.00 to 22.00
Tuesday	12.00 to 24.00	N/A	12.00 to 24.00	12.00 to 22.00
Wednesday	12.00 to 24.00	N/A	12.00 to 24.00	12.00 to 22.00
Thursday	12.00 to 24.00	N/A	12.00 to 24.00	12.00 to 22.00
Friday	12.00 to 24.00	N/A	12.00 to 24.00	12.00 to 22.00
Saturday	12.00 to 24.00	N/A	12.00 to 24.00	12.00 to 22.00
Sunday	12.00 to 24.00	N/A	12.00 to 24.00	12.00 to 22.00

DETAILS OF VARIATIONS SOUGHT:-

The applicant wishes to vary the licence as follows:-

- 1) To add off-sales hours to the licence.
- 2) To add takeaways and deliveries of food and alcohol.

ITEM 5(c)

CURRENT ACTIVITIES:- Restaurant facilities; Celebrations; Funerals; Club or other group meetings; Recorded music; Live music.

LSO:

An application to add off sales and delivery of food and alcohol.

Change to Operating Plan

Question 1; Statement regarding alcohol being sold on premises/off premises or both.

Current; on sales only To add; on and off sales

Question 3; statement of core times when alcohol will be sold for consumption off premises

Current N/A

To add; 12:00 till 22:00

Question 5 (f) any other activities

Current none

To add; Takeaways and deliveries of food and alcohol

The applicant has consulted with the LSO and is now aware of the legislative requirements involved in both remote sales and delivery of food and alcohol.

EHO

Covid-19 Risk Assessment. No issues. EH is satisfied that the current version covers all the main necessary control measures.

POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:-

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES: Tarbert Bowling Club, Campbeltown Road, Tarbert, PA29 6SX

APPLICANT: Name and Address as above

AGENT: N/A

DESCRIPTION OF PREMISES:

Clubhouse for Bowling Club, principally a hall, with toilets, kitchen, small bar and side room.

	CURRENT CORE HOURS	
	ON SALES	OFF SALES
Monday	13.00 to 23.00	N/A
Tuesday	13.00 to 23.00	N/A
Wednesday	13.00 to 23.00	N/A
Thursday	13.00 to 23.00	N/A
Friday	11.00 to 00.30	N/A
Saturday	11.00 to 00.30	N/A
Sunday	12.00 to 22.00	N/A

DETAILS OF VARIATIONS SOUGHT:-

The applicants wish to vary the licence as follows:-

1) To add an external licensed area around the perimeter of the bowling green.

CURRENT ACTIVITIES:- Celebrations; Funerals; Club or other group meetings; Recorded music; Live music; Dance facilities; Indoor/Outdoor sports.

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ITEM 5(d)

LSO: An application to add outside drinking to the Operating Plan, to allow members and guests to utilise the surrounds of the bowling green (as per submitted updated Layout Plan)

Operating Plan

Question 5 (d); please indicate the other activities or services that will be provided on the premises in addition to supply of alcohol

Outdoor drinking facilities

Current; N/A

To add; YES

Applicant is aware of and happy to comply with Board policy relative to outside drinking terminal hours i.e. 8pm for children 10pm for adults

EHO

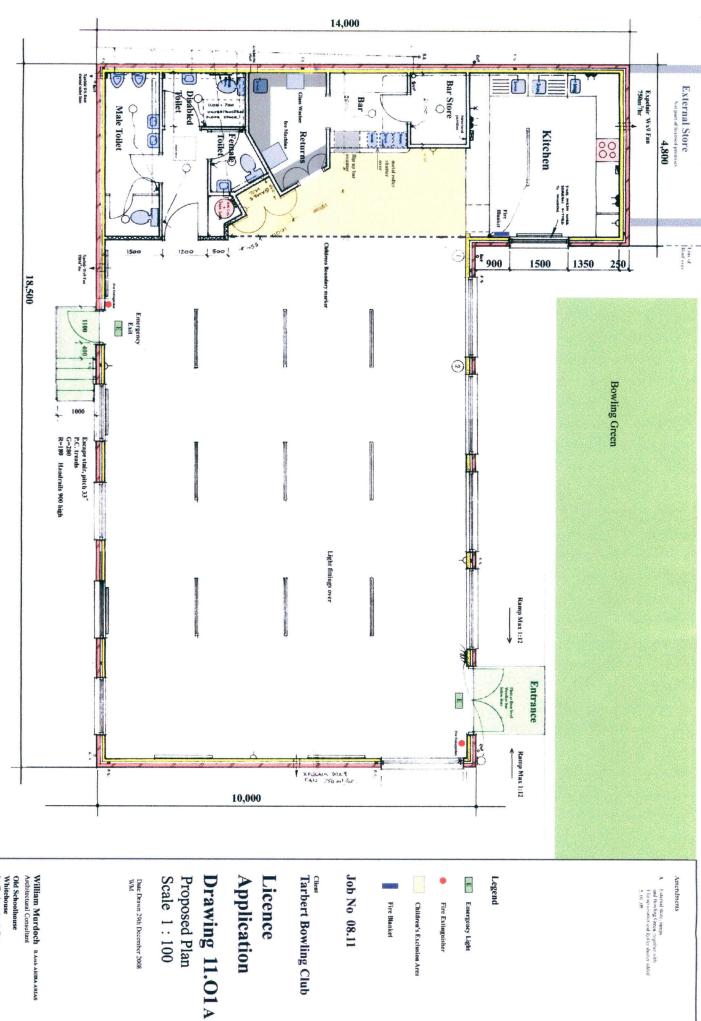
The applicant has consulted with the Environmental Health Officer to ensure this additional new area of operation is subjected to a written risk assessment in terms of Covid19 assuring the safety of members, guests and staff. The EHO will also advise on any potential noise management issues which may arise from the additional outside use.

POLICE COMMENTS: No Police objections

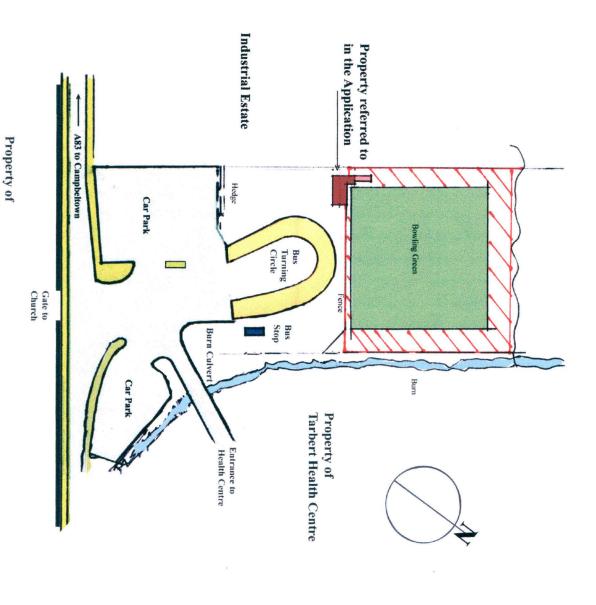
OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:-

1) Terminal hour for the outside area.



William Murdoch BArch ARBAARIAS Architectural Consultant Old Schoolhouse Whitehouse by Tarbert Loch Fyne Argyll PA29 6XR Tel 01880 730 274 email. wulliemurdech@yahoo.co.uk



Job No 08.11

Tarbert Bowling Club

Licence

Application Drawing 11.02

Date Drawn 5th Jan 2009 WM

Location Plan Scale 1: 1250

Old Schoolhouse Whitehouse by Tarbert Loch Fyne Argyll PA29 6XR William Murdoch B.Arch ARIBA ARIAS Architectural Consultant

Tel 01880 730 274 email. wulliemurdoch@yahao.co.uk

Tarbert Parish Church

Argyll and Bute Licensing Board 16th February 2021

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES: Taynuilt Hotel, Taynuilt, PA35 1JN

APPLICANT: The Taynuilt Inn Trading Limited, 1 The Pier, Oban, PA34 4LW

AGENT: MacArthur Legal, Boswell House, Argyll Square, Oban, PA34 4BD

DESCRIPTION OF PREMISES:

Detached rural hotel situated on the main road in the village of Taynuilt. 12 public bedrooms, dining room, lounge bar, public bar and beer garden.

	CURRENT CORE HOURS				
	ON SALES	OFF SALES			
Monday	11.00 to 24.00	11.00 to 22.00			
Tuesday	11.00 to 24.00	11.00 to 22.00			
Wednesday	11.00 to 24.00	11.00 to 22.00			
Thursday	11.00 to 24.00	11.00 to 22.00			
Friday	11.00 to 01.00	11.00 to 22.00			
Saturday	11.00 to 01.00	11.00 to 22.00			
Sunday	11.00 to 24.00	11.00 to 22.00			

DETAILS OF VARIATIONS SOUGHT:-

The applicant wishes to vary the licence as follows:-

1) Addition of a further external licensed area to the premises.

CURRENT ACTIVITIES:- Accommodation; Conference facilities; Restaurant facilities; Bar meals; Celebrations; Funerals; Club or other group meetings; Recorded music; Live music; Dance facilities; Gaming; Televised sports; Indoor/Outdoor sports; Outdoor drinking,

LSO: An application to permit the sale and service of alcohol with and without food in new proposed outside drinking areas outlined in red forming part of the curtilage of the Taynuilt Hotel.

The LSO has been in touch with the applicant's and his agent to enquire into some finer detail with regards to the proposed areas and the specifics of the new operation.

Consultation;

Planning Department/ Roads Department

The applicant indicates he will contact the appropriate Planning and Roads departments regarding any potential permissions/ conditions /restrictions /etc.?

Layout Plan

The Layout Plan shows two distinct areas 1x front and 1 x side.

Title of layout plan

ALTERED ACCESS AND PARKING AND FORMATION OF BEER GARDEN

Clarification has been sought for what is meant by altered access and parking, it seems the plan shows "existing access"

Have the car park spaces have been reduced? (Front) or replaced to rear. (Side) Roads department may have an interest in this aspect?

The Board will wish to know the arrangements to safeguard patrons and staff from moving vehicles, particularly along the front side and main road, the path to cross from hotel to car park; will there be lighting? Plastic glasses outside only?

How will the patrons be protected from the "Ruinous Outbuilding?"

The applicant is happy to answer any questions the Board may have in this respect.

EHO

Concerns with regard to public safety and potential noise nuisance – please see attached comments. To date there has been no risk assessment submitted.

POLICE COMMENTS: There has been a representation letter received from Police Scotland dated 27th January 2021. A copy of this is attached.

OBJECTIONS/REPRESENTATIONS:

- (1) E-mail dated 2nd February, 2021 from Neil MacFarlane of Transport Scotland (copy attached)
- (2) E-mail dated 10th February, 2021 from James Jackson, Traffic and Development Officer, Argyll and Bute Council (copy attached)

POINTS FOR CONSIDERATION:-

- 1) Terminal hour for the outside area.
- 2) Consider the comments received from the Police, Environmental Health, the Trunk Roads Authority and the Council's Roads Services.









Environmental Health Comments for:

Application for Variation of Premises Licence for Taynuilt Hotel, Taynuilt, Oban.

Observations:

Public Health and Safety

1. Concerns are raised on the proximity of the proposed outdoor seating area at the front of the Hotel to the A85 trunk road. The layout provided with the application shows the seating area to be at the side of the trunk road with insufficient protection to safeguard customers from injury should there be a vehicle incident. Please see photograph below of the seating area location to the trunk road. All photograph taken on 20th January 2021.



2. Concerns are raised on the proximity of the seating area to the side of the Hotel (described as the beer garden) for vehicles entering and exiting the car park to the Hotel and to private housing located to the rear of the Hotel.

There is the potential for conflict with vehicles and customers/staff when needing to gain access to the Hotel to use the facilities or to provide service of goods as this will require customers/staff to cross the area where vehicles enter and exit the car park. There is also insufficient protection from injury for customer/staff should there be a vehicle incident. Please see photograph below.



3. Concerns are raised for customer safety with the proximity of the beer garden seating area to the open burn. Currently the wall to the side of the burn is only half complete and will need to be completely reinstated and possibly additional railings installed to prevent public gaining access to the burn. Please see photograph below.



Potential Noise Nuisance

1. The location of the beer garden to the nearest noise sensitive receptor is 20 metre as shown in the photograph above and the map below. The proximity of these properties to the beer garden may cause potential noise nuisances issues.



Covid-19 Risk Assessment

2. To date, Thursday 28th January 2021, I have not received a copy of the Taynuilt Hotel Covid-19 risk assessment so can make no comments at this time.



OFFICIAL

27 January 2021

Our Ref: L/LIC/JSY

Your Ref:

The Clerk
Argyll & Bute Licensing Board
Kilmory
DX599700
LOCHGILPHEAD
PA31 8RT



Argyll & West Dunbartonshire 'L' Division Headquarters Stirling Road DUMBARTON G82 3PT

Tel: 01389 822033

Dear Sir

LICENSING (SCOTLAND) ACT 2005: SECTION 29

APPLICATION FOR VARIATION OF A PREMISES LICENCE

APPLICANT: THE TAYNUILT TRADING LTD

PREMISES: TAYNUILT HOTEL

I refer to the above application and in terms of section 22(1)(b)(ii) and (iii) of the Act, I make the following representation.

The Board will be aware the applicant has applied to increase the outside drinking area. In relation to the area detailed to the front of the property, the Chief Constable would suggest appropriate delineation would be required along the front of the Hotel between the area and the road to protect the patrons from vehicles travelling along the A85 trunk road.

In relation to the area to the left hand side of the premises, the plan submitted with the application does not seem to be to scale as it appears to indicate more tables and chairs than what would be appropriate for that area. Further, consideration should also be given for safe vehicular access to the car park. Your Honours may wish to confirm with the applicant the procedure for staff and customers accessing the proposed areas safely.

In addition the Chief Constable would suggest that plastic tumblers are used for the outside area due to the proximity of passing vehicles.

Yours faithfully

John Paterson Divisional Commander



Response from Neil MacFarlane, Transport Scotland

From: Mair, Susan

Sent: 02 February 2021 10:12

To: 'Neil.MacFarlane@transport.gov.scot' < Neil.MacFarlane@transport.gov.scot

Subject: RE: Outside seating Taynuilt inn

Thanks for this Neil.

I have noted your comments and will ensure they are brought to the attention of the Licensing Board. By way of reassurance, it is standard practice for the Board to impose a condition that a suitable barrier is erected where an external area is close to or abuts a road.

Kind regards,

Susan

Susan Mair Legal Services Manager Argyll and Bute Council Legal and Regulatory Support Legal Services Kilmory Lochgilphead Argyll PA31 8RT

E-mail: mailto:susan.mair@argyll-bute.gov.uk

www.argyll-bute.gov.uk

Tel: 01546 604117



From: Neil.MacFarlane@transport.gov.scot [mailto:Neil.MacFarlane@transport.gov.scot]

Sent: 02 February 2021 09:48

To: Mair, Susan < Susan. Mair@argyll-bute.gov.uk >

Subject: RE: Outside seating Taynuilt inn

Yes and no Susan.

Ideally we would recommend that the Beer Garden be located away from the Trunk Road, either to the side or rear of the building.

However I have been speaking to the applicant and he has advised that there will be a continuous barrier between the beer garden and the trunk road if the application is









looked on favourably. There is also the possibility of a traffic calming effect to having an increased on street presence. Traffic might slow down a bit if there is a bit of activity on or near the road.

In summary then we would prefer it elsewhere but with caveats we would be content with it as proposed.

Regards

Ν

From: Mair, Susan <Susan.Mair@argyll-bute.gov.uk>

Sent: 01 February 2021 15:54

To: MacFarlane N (Neil) (TS) < Neil.MacFarlane@transport.gov.scot >

Subject: RE: Outside seating Taynuilt inn

Hi Neil,

My apologies, I don't appear to have replied to your enquiry.

Yes, there is an application due to be considered by the Licensing Board at their meeting on 16th February to further extend the outdoor licensed area at these premises. Do you have any issues with it?

Kind regards,

Susan

Susan Mair Legal Services Manager Argyll and Bute Council Legal and Regulatory Support Legal Services Kilmory Lochgilphead Argyll PA31 8RT

Tel: 01546 604117

E-mail: mailto:susan.mair@argyll-bute.gov.uk

www.argyll-bute.gov.uk









EXCELLENCE

Response from James Jackson, Traffic & Development Officer, Argyll & Bute Council

Good morning Kelly,

I have no issues or concerns with the seating plans to the East of the Taynuilt Hotel. The concerns will be for the proposed seating arrangement to the North of the hotel, immediately adjacent to the A85 Trunk Road.

I note the comments from Neil MacFarlane from the Trunk Road Authority, what I would add is that I would like to see a pedestrian guard rail installed to prevent hotel customers from stepping onto the carriageway.

The area is of reasonable width and is currently or has recently been used as "nose in parking" for the hotel. The width of the proposed seating area would allow room for tables to be located immediately adjacent to the building and still have enough width to the edge of the public road to allow safe customer access and install suitable rails and barriers.

In my opinion, the proposal to change this area to seating would improve road safety (subject to appropriate and suitable rails and barriers being installed to protect customers), due to vehicles no longer reversing on or off the Trunk Road when parking.

The specification for any rails and barriers will be for the Trunk Road Authority to decide on and approve.

Regards, James.



Licence No.	Licence Holder	Renewal Date	Date Training Due	Date reminder printed	Status	Premises Li	cen Premises	Status	Status
AR1132	John Scott	25/02/20	25/02/20		23/10/19 Current				
AR1133	Kristen Alexandra Scott	25/02/20	25/02/20		23/10/19 Current				
AR1140	Joni Anfield	01/03/20	01/03/20		23/10/19 Current				
AR1141	Karen Beckett	01/03/20	01/03/20		23/10/19 Current				
AR1144	Valerie Joan Gillies	01/03/20	01/03/20		23/10/19 Current				
AR1145	Colin Mayer	05/03/20	05/03/20		26/11/19 Current				
AR1898	Claire MacDonald	26/11/24	27/11/19		22/07/19 Current				
AR1899	Laura Jamieson	26/11/24	27/11/19		22/07/19 Current				
AR1900	James Strachan	26/11/24	27/11/1 9		22/07/19 Current				
AR1901	Thomas Morris	04/12/24	05/12/19		23/08/19 Current				
AR1902	Henry James Howard	04/12/24	05/12/19		23/08/19 Current				
AR1905	Laura Ann Sneddon	04/12/24	05/12/19		23/08/19 Current				
AR1906	Kathleen Anne Ramage	04/12/24	05/12/19		23/08/19 Current				
AR1907	Abdul Suliman Muslim	04/12/24	05/12/19		23/08/19 Current				
AR1908	Gillian Margaret Hardie	04/12/24	05/12/19		23/08/19 Current				
AR1914	Michael Ramsay	04/01/25	05/01/20		23/09/19 Current				
AR1915	Lynsey Ramsay	04/01/25	05/01/20		23/09/19 Current				
AR1916	Mihaela Penciu	04/01/25	05/01/20		23/09/19 Current	AR/80	Queens Hotel	Current	Current
AR1918	Bill Pillar	04/01/25	05/01/20		23/09/19 Current				
AR1919	Gary Cole	04/01/25	05/01/20		23/09/19 Current				
AR1920	Elizabeth Patricia Munro	05/01/25	06/01/20		23/09/19 Current				
AR1921	David Fitzsimmons	04/01/25	05/01/20		23/09/19 Current				
AR1922	Stephen Michael Joseph Walton	04/01/25	05/01/20		23/09/19 Current				
AR1923	Bilal Mneimneh	12/01/25	13/01/20		23/09/19 Current				
AR1927	Lynda Maria Jordan	14/01/25	15/01/20		23/09/19 Current				
AR1928	Charles MacKinnon MacIntyre	14/01/25	15/01/20		23/09/19 Current				
AR1929	Suzanne Tomsett	14/01/25	15/01/20		23/09/19 Current				
AR1930	Stuart Campbell McCreath	14/01/25	15/01/20		23/09/19 Current				
AR1931	Alan Vernon	14/01/25	15/01/20		23/09/19 Current				
AR1935	Craig McKeitch	14/01/25	15/01/20		23/09/19 Current				
AR1936	Michael James Woolcock	14/01/25	15/01/20		23/09/19 Current				
AR1937	James Harley	14/01/25	15/01/20		23/09/19 Current				
AR1939	Tracey Ann Strang	14/01/25	15/01/20		23/09/19 Current	AR/182	Dellwood Hotel	Current	Current
AR1940	Patrick Joseph Jenner	14/01/25	15/01/20		23/09/19 Current				
AR1944	Sukhvinder Sangha	15/01/25	16/01/20		23/09/19 Current				
AR1945	Samantha Sangha	15/01/25	16/01/20		23/09/19 Current				
AR1946	Richard Alan MacDougall	27/01/25	28/01/20		23/09/19 Current	AR/209	Dunollie Stores	Current	Current
AR1947	Kristoffer Milne	27/01/25	28/01/20		23/09/19 Current				
AR1948	Aisling Donan Milne	27/01/25	28/01/20		23/09/19 Current				
AR1949	Mohammed Ibraheem Azram	20/01/25	21/01/20		23/09/19 Current				
AR1950	Mohammed Azram	20/01/25	21/01/20		23/09/19 Current	AR/6	Garelochhead Mini	Mar Current	Current
AR1953	Fraser Hall	27/01/25	28/01/20		23/09/19 Current				
AR1954	Joanna Morrison	22/02/25	23/02/20		23/10/19 Current				
AR1955	Chloe Wood	27/01/25	28/01/20		23/09/19 Current				
AR1958	Sarah Herrod	04/02/25	05/02/20		23/10/19 Current	AR749	The Village at Mach	riha Current	Current

AR1959	Claire MacKenzie Noble	04/02/25	05/02/20	23/10/19 Current				
AR1962	Aileen MacDougall	09/02/25	10/02/20	23/10/19 Current	AR/423	The Mini Market	Current	Current
AR1963	Emma Jane Boyle	09/02/25	10/02/20	23/10/19 Current				
AR1964	Leah Faye Balmforth	09/02/25	10/02/20	23/10/19 Current				
AR1965	Ashleigh Anna Khan	22/02/25	23/02/20	23/10/19 Current				
AR1966	Aidan MacKay	22/02/25	23/02/20	23/10/19 Current				
AR1967	David Parker	22/02/25	23/02/20	23/10/19 Current				
AR1971	Pamela Brunton	22/02/25	23/02/20	23/10/19 Current				
AR1973	Matthew Robert Park	22/02/25	23/02/20	23/10/19 Current				
AR1975	Lindsay Muir	26/02/25	27/02/20	23/10/19 Current				
AR1976	Gavin James MacCorquodale	26/02/25	27/02/20	23/10/19 Current				
AR1977	Jonathon Andrew Coates	26/02/25	27/02/20	23/10/19 Current				
AR1978	Jodie Catherine Wilson	26/02/25	26/02/20	23/10/19 Current				
AR1979	Francois-Marie-Gerard Le Bret	09/03/25	10/03/20	26/11/19 Current				
AR1980	Sean O'Reilly	26/02/25	27/02/20	23/10/19 Current				
AR1983	Monika Krystyna Janus	09/03/25	10/03/20	26/11/19 Current				