## Public Document Pack

## THE ARGYLL AND BUTE LICENSING BOARD

Tel. (01546) 604128

Kilmory Lochgilphead

21 April 2023

Dear Sir/Madam

## LICENSING (SCOTLAND) ACT 2005

A meeting of the ARGYLL AND BUTE LICENSING BOARD will be held BY SKYPE on TUESDAY, 25 APRIL 2023 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 28TH FEBRUARY 2023
- 4. APPLICATION FOR A PREMISES LICENCE
  - (a) Killean Farmhouse & Cottages, Inveraray, PA32 8XT (Pages 7 16)

    Summary Sheet attached Item 4(a)
  - (b) Riverside Filling Station, Oban Road, Lochgilphead, PA31 8NG (Pages 17 20)

Summary Sheet attached- Item 4(b)

## 5. APPLICATION FOR MAJOR VARIATION OF A PREMISES LICENCE

(a) Ambience Cafe, Unit 3, 7 Victoria Street, Rothesay, Isle of Bute, PA20 0AJ (Pages 21 - 24)

The applicant wishes to vary the licence as follows:-

- 1) To add off-sales to allow customers to take unfinished alcohol home.
- 2) To add receptions, funerals and Club or other group meeting as activities.
- 3) At Question 5, remove comment regarding restriction of alcohol sold.
- 4) To amend the Children and Young Persons conditions.
- 5) To remove the outdoor capacity as there is no outdoor drinking.

Summary Sheet attached – Item 5(a)

(b) Burnside Bar, 1 Burnside Street, Campbeltown, PA28 6JE (Pages 25 - 28)

The applicant wishes to vary the licence as follows:-

1) To add a further 3 metres to the existing outdoor licensed area whilst allowing the necessary space for public walkway.

Summary sheet attached – Item 5(b)

(c) Ceabhar Restaurant, Sandaig, Isle of Tiree, PA77 6XQ (Pages 29 - 42)

The applicant wishes to vary the licence as follows:-

- 1) To change the name of the premises to Ceabhar Restaurant and Bun Dubh Brewery.
- 2) To change the description of the premises.
- 3) Change to the layout to include new micro-brewery.
- 4) To change Sunday opening time from 12.30 to 12.00.
- 5) To amend the Seasonal Variation.
- 6) To add tours of micro-brewery and online sales as activities.
- 7) To amend the wording at Children and Young Persons conditions

Summary Sheet attached – Item 5(c)

(d) Coasters Bar, Corran Esplanade, Oban, PA34 5PS (Pages 43 - 56)

The applicant wishes to vary the licence as follows:-

- 1) To reduce terminal hour on Friday and Saturday to 24.00.
- 2) To amend the seasonal variation.
- 3) To remove live performances and add restaurant facilities, outdoor drinking and takeaways as activities.
- 4) To open for breakfasts from 8am to 11am.
- 5) To amend the Children and Young Persons conditions.

Summary Sheet attached – Item 5(d)

(e) Kilchoman Distillery, Rockside Farm, Isle of Islay, PA49 7UT (Pages 57 - 58)

The applicants wish to vary the licence as follows:-

- 1) To increase on sales hours to 11pm daily.
- 2) To increase off sales hours to 10pm daily.
- 3) To add a seasonal variation.
- 4) To add whisky dinners which may include tastings, dinners for various groups, fundraising events and small functions.

Summary Sheet attached – Item 5(e)

(f) Portavadie Marina, Portavadie, PA21 2DA (Pages 59 - 66)

The applicants wish to vary the licence as follows:-

 To allow the three premises licences for Portavadie Marina, Lodge at Portavadie Marina and Spa & Leisure at Portavadie to be merged into one.

Summary Sheet attached – Item 5(f)

(g) Strachur Filling Station, Main Road, Strachur, PA27 8DG (Pages 67 - 68)

The applicant wishes to vary the licence as follows:-

1) To change the off sales start time on a Sunday from 12.30pm to 10.00am.

Summary Sheet attached – Item 5(g)

(h) The Brewery, Islay House Square, Bridgend, Isle of Islay, PA44 7NZ (Pages 69 - 76)

The applicant wishes to vary the licence as follows:-

- 1) To add on sales hours.
- 2) To add recorded music, live performances and outdoor drinking as activities.
- 3) To change the premises manager.
- 4) Change to layout plan to add whisky shop in Old Brewery premises.

Summary Sheet attached – Item 5(h)

(i) Pennyghael Hotel, Pennyghael, Isle of Mull, PA70 6HB (Pages 77 - 80)

The applicants wish to vary the licence as follows:-

- 1) To change the name of the premises to The Inn at Port Nan Gael.
- 2) To amend the on sales hours.
- 3) To add off sales hours.
- 4) To add a Seasonal Variation.
- 5) To vary the activities within and outwith core hours.
- 6) To add take aways as an activity on the licence.
- 7) To amend the wording in the Children and Young Persons conditions.

Summary Sheet attached – Item 5(i)

(j) The Keel Row, Fionnphort, Isle of Mull, PA66 6BL (Pages 81 - 86)

The applicants wish to vary the licence as follows:-

- 1) To vary the wording in the seasonal variation.
- 2) To vary the Children and Young Person's conditions.

Summary Sheet attached – Item 5(j)

(k) The Olive Garden, Unit 2, Waterfront Centre, Railway Pier, Oban, PA34 4LW (Pages 87 - 90)

The applicant wishes to vary the licence as follows:-

- 1) To amend the seasonal variation.
- 2) To add the sale of take away food and hot and cold non-alcoholic beverages from 08.00 to 20.00 daily.
- 3) To amend the on-sales capacity to 138.

Summary Sheet attached – Item 5(k)

## 6. GAMBLING ACT 2005- APPLICATION FOR AN ADULT GAMING CENTRE

(a) Hunter's Quay Adult Gaming Centre, Hunter's Quay Holiday Village,
 Dolphin Leisure Centre, Hunter's Quay, Dunoon, PA23 8HP (Pages 91 - 98)

Please see attached Report together with layout plan of the premises.

## 7. REVIEW OF PERSONAL LICENCES

(a) Revocation of Personal Licences where licence holders have not undertaken the refresher training. (Pages 99 - 100)

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 101 - 102)

A list of personal licences to be revoked is attached.

## 8. ANY OTHER BUSINESS

(a) Payment of Annual Licensing Fees

All Annual fees for the period 2022/2023 have now been paid.

(b) Review of Statement of Licensing Policy- Report by Depute Clerk to follow

## 9. DATE OF NEXT MEETING

The next meeting of the Licensing Board will be held on 27<sup>TH</sup> June 2023 at 11.00am.

## **Argyll and Bute Licensing Board**

Councillor Jan Brown
Councillor Kieron Green (Chair)
Councillor Graham Hardie
Councillor Fiona Howard

Councillor Mark Irvine (Vice-Chair) Councillor Paul Donald Kennedy

Councillor Luna Martin Councillor Liz McCabe Shona Barton

Contact: Margaret MacLean Tel: 01546 604128



## Argyll and Bute Licensing Board 25<sup>th</sup> April 2023

## **APPLICATION FOR GRANT OF A PREMISES LICENCE**

**NAME OF PREMISES**: Killean Farmhouse & Cottages, Inveraray, PA32 8XT

**APPLICANT**: As above

AGENT: N/A

## **DESCRIPTION OF PREMISES:**

Killean Farm House is a 5 bedroom B & B with 7 x self-catering cottages set on 10 acres of land. It is located 4 miles south of Inveraray.

LICENSED HOURS APPLIED FOR		
ON SALES	OFF SALES	
15.00 to 24.00	N/A	
	ON SALES  15.00 to 24.00  15.00 to 24.00	

**ACTIVITIES:-** Accommodation; Conference facilities; Restaurant facilities; Receptions; Club or other group meetings; Recorded music; Live performances; Dance facilities; Theatre; Films; Indoor/outdoorsports; Televised sport; Outdoor drinking facilities.

**SEASONAL VARIATION:-** We may operate restricted hours at times when there is insufficient demand or during scheduled maintenance periods.

We may take advantage of any extended hours permitted by Argyll & Bute Licensing Board. We may open for Hogmanay Celebrations annually on 31st December until midnight and into the morning of 1st January until 1.00am.

## CHILDREN AND YOUNG PERSONS CONDITIONS:-

TERMS — Children must be accompanied by a responsible adult at all times. Young persons will be allowed entry.

AGES – Children aged 0-15 years. Young persons aged 16 & 17 years.

TIMES – Children and young persons are welcome at all times.

PARTS – Children and young persons will be allowed access to all public areas of our B & B.

**CAPACITY OF PREMISES:** - On sales – 133 persons

**LSO COMMENTS**: Please see attached Report.

**POLICE COMMENTS:** No Police objections

**OBJECTIONS/REPRESENTATIONS:** None

## POINTS FOR CONSIDERATION:-

(1) Section 50 planning certificate is awaited

- (2) Nature of live performances the applicant has advised that this will be non-amplified folk music very occasionally or maybe a piper for a small wedding
- (3) The capacity figure of 133 persons has been queried with the applicant as it seemed quite high in view of the relatively small scale of the premises. The applicant has clarified that the B&B and the 7 cottages have a maximum capacity of 46 persons for the rooms and beds. The architect had included the capacity for the other areas-sitting room, conservatory and terrace.
- (4) Terminal hour required for the external area?

## **LSO REPORT**

## KILLEAN FARMHOUSES & COTTAGES, INVERARAY, PA32 8XT (REPORT BY ERIC DEARIE)

Killean Farm House is a 5 bedroom B&B with 7 x self-catering cottages set on 10 acres of land. It is located in a secluded position 4 miles south of Inveraray.

The applicant proposes an "Honesty Box" arrangement where a locked cabinet containing red wine, spirits, beer, ales, glasses, napkins, snacks, etc., and a fridge containing white wine, lager, mixers, etc., will be positioned at the bar in the Dining Room which is located within the red bounded licensed area. B&B guests only will be given a key to the cabinet and fridge at check-in allowing access during their stay. B&B guests will complete a "tally sheet" at each purchase. Cottage guests will not be given keys but may drink within the licensed area, paying at time of consumption. Children and young persons will not have access to the cabinet or fridge. Honesty Box arrangements are being used in other licensed premises in the area without problem.

## Layout Plan

The layout plan meets the requirements of <u>The Premises Licence (Scotland) Regulations</u> 2007

## Operating Plan

Question 1 – alcohol will be on sales only

Question 2 – on sales hours will be 1500-midnight (Mon-Sun)

Question 3 – N/A

Question 4 - Seasonal Variation -

Proposed – "We may operate restricted hours at times when there is insufficient demand or during scheduled maintenance periods. We may take advantage of any extended hours permitted by Argyll & Bute Licencing Board We may open for Hogmanay Celebrations annually on 31st December until midnight and into the morning of 1st January until 1.00am"

Board Policy – "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"

Question 5(a) – accommodation; conference and restaurant only

Question 5(b) - receptions and clubs

Question 5(c) – recorded music; live performances; dance; theatre; films indoor/outdoor sports and televised sports

Question 5(d) – outdoor drinking only –

Outwith core hours statement - "We provide accommodation 24/7 for B&B and cottage guests."

## Question 5(f)

Current statement "There is a dog exercise paddock in the grounds operated on a booking system Self-Catering Accommodation provided in the grounds."

## Outdoor Drinking

The applicant is proposing outdoor drinking for guests on the terrace area bounded red. Board policy is that the terminal hour for outdoor drinking will be 2200 for persons aged 18 years and over and 2000 hours for children and young persons. The premises lie in a secluded area with no near neighbours and the applicant was hoping to dispense with the policy terminal

## Page 10

hours. The Board may be minded to consider this. If not, a statement similar to "the terminal hour for outdoor drinking will be 2200 for persons aged 18 years and over and 2000 hours for children and young persons" should be included in Box 5(f).

Question 6 – Children & Young Persons Access. After discussion with the LSO the applicant has agreed upon the following wording –

## Terms

Children of all ages and young persons are allowed access when accompanied by a person aged 18 years or over while using the Bed and Breakfast facilities or having a meal or attending a function.

## Ages

Children – birth to 15 years Young persons – 16 & 17 years

## Times

Children and young persons are welcome at all times

\*If the Board imposes the outdoor curfew, a statement similar to "the terminal hour for outdoor drinking will be 2000 hours for children and young persons"

### Parts

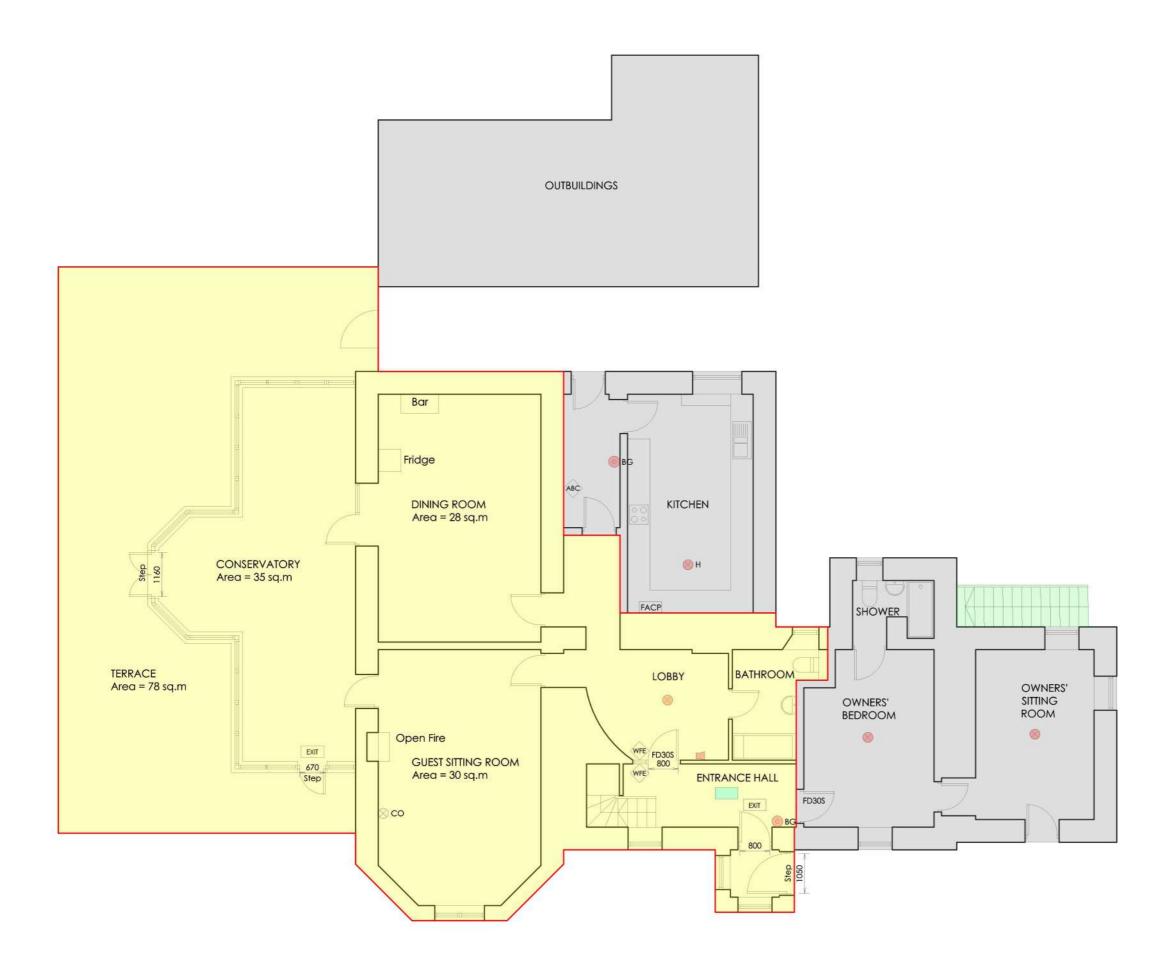
Children and young persons will be allowed access to all public areas of our B&B

Question 7 – Capacity – the total capacity is 133 persons

Question 8 – Premises Manager – in respect of personal licence details, include Date of Issue as 7<sup>th</sup> March 2023 and Reference Number as AR/3501

## **EHO**

Environmental Health aware of this application.



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To be read in conjunction with all relevant drawings/ specifications. Contractor to check all dimensions on site. Do not scale from this drawing. Client/ Project Manager to be advised of any discrepancies on the drawings and any variation between the drawings and site conditions.

## GENERAL NOTES

Floor plans produced from information provided by others. Bedroom dimensions are indicative only.

Fire Detection and Warning system to comply with BS 5839: Part 1:

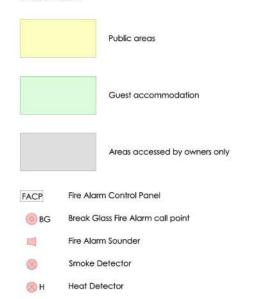
Emergency Lighting system to comply with BS 5266: Part 1: 2016 and BS EN 1838: 2013.

Fire Fighting Equipment to comply with BS 5306: 3: 2017.

Signs and notices to comply with BS 5499: latest edition.

All Fire rated doors to comply with BS 476 and BS EN 1634-1: latest

Fire Action Notices are positioned on the back of all guest bedroom doors.

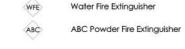


Carbon Monoxide Detector

**Emergency Light** Fire Exit Sign

Illuminated Fire Exit Sign

30 minute Self Closing Fire Door



⊗ co

EXIT

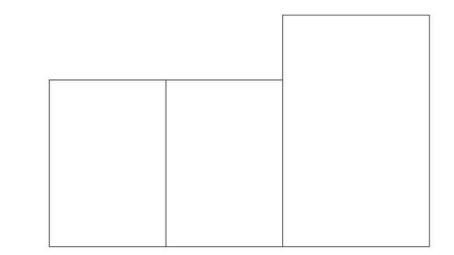
EXIT

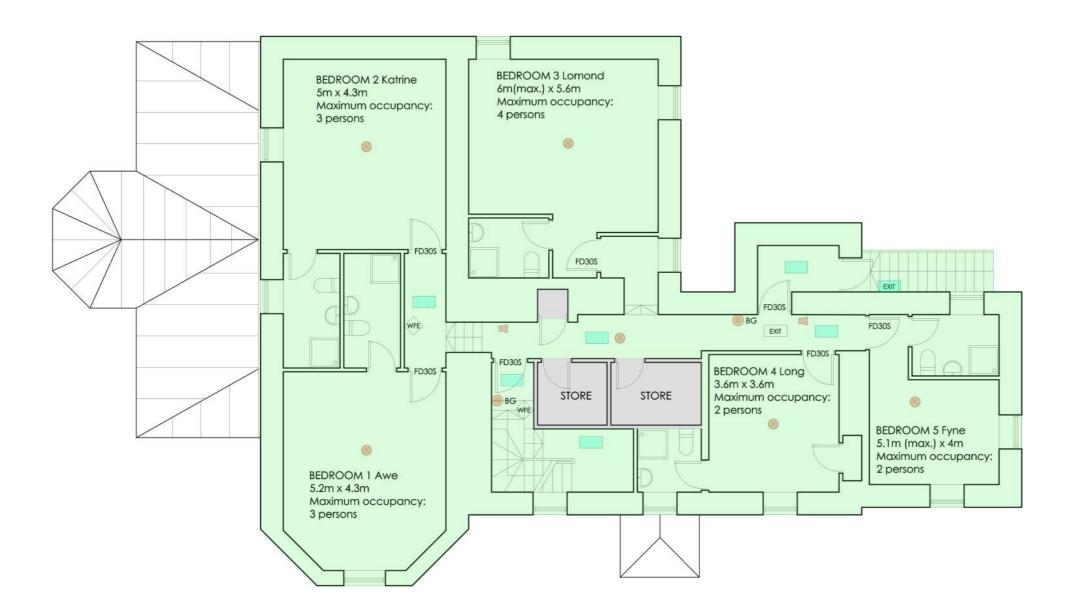
FD30S

## STUDIO M

suzanne and mark c. mcphillips www.studio-mcphillips.co.uk studio.mcphillips@gmail.com 07378 307955

Anson Bartlett	
Killean Farmho Premises Licen	ouse and Cottages ace
Farmhouse - C	Ground Floor Plan
(23-02) 01	REV.
1:100 @A3	DATE Feb 2023
	Premises Licen Farmhouse - C (23-02) 01





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## GENERAL NOTES

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Fire Detection and Warning system to comply with BS 5839: Part 1:

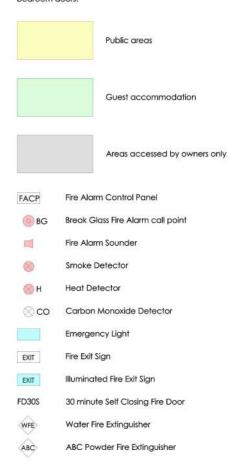
Emergency Lighting system to comply with BS 5266: Part 1: 2016 and BS EN 1838: 2013.

Fire Fighting Equipment to comply with BS 5306: 3: 2017.

Signs and notices to comply with BS 5499: latest edition.

All Fire rated doors to comply with BS 476 and BS EN 1634-1: latest

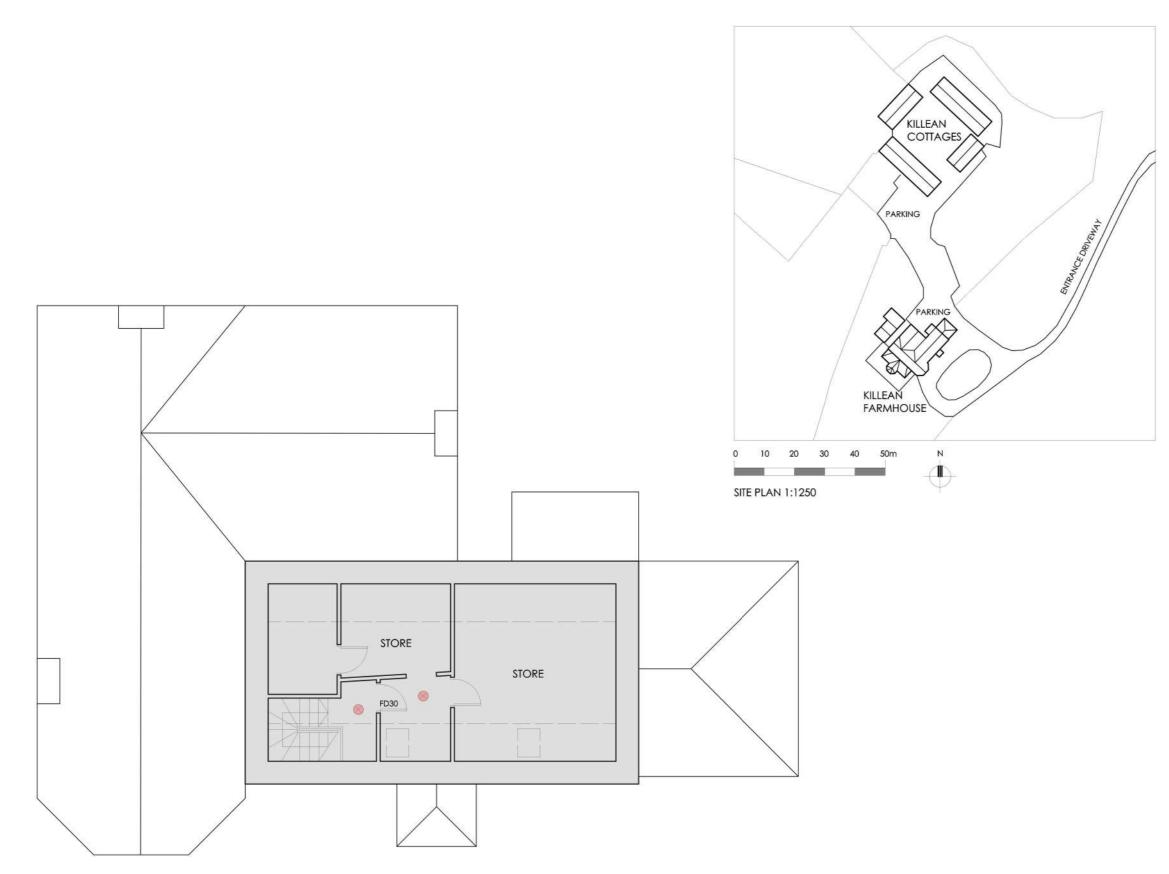
Fire Action Notices are positioned on the back of all guest bedroom doors.



## STUDIO M

suzanne and mark c. mcphillips www.studio-mcphillips.co.uk studio.mcphillips@gmail.com 07378 307955

CLIENT	Anson Bartlett	
PROJECT	Killean Farmho Premises Licen	ouse and Cottages ace
DRAWING	Farmhouse - F	irst Floor Plan
DWG NO.	(23-02) 02	REV.
SCALE	1:100 @A3	DATE Feb 2023



SECOND FLOOR PLAN 1:100

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## GENERAL NOTES

Floor plans produced from information provided by others. Bedroom dimensions are indicative only.

Fire Detection and Warning system to comply with BS 5839: Part 1:

Emergency Lighting system to comply with BS 5266: Part 1: 2016 and BS EN 1838: 2013.

Fire Fighting Equipment to comply with BS 5306: 3: 2017.

Signs and notices to comply with BS 5499: latest edition.

All Fire rated doors to comply with BS 476 and BS EN 1634-1: latest

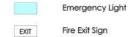
Fire Action Notices are positioned on the back of all guest bedroom doors.











EXIT	Illuminated Fire Exit Sign
------	----------------------------

FD30S 30 minute Self Closing Fire Door

Water Fire Extinguisher WFE ABC Powder Fire Extinguisher ABC

## STUDIO M

suzanne and mark c. mcphillips www.studio-mcphillips.co.uk studio.mcphillips@gmail.com 07378 307955

CLIENT	Anson Bartlett		
PROJECT	Killean Farmhouse and Cottages Premises Licence		
DRAWING	Farmhouse - Second Floor and Site Plan		
DWG NO.	(23-02) 03 REV.		
SCALE	1:100/ 1:1250 @A3 DATE Feb 2023		

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MAXIMUM OCCUPANCY

## Cottages - GROUND FLOOR PLAN

LIVING ROOM

the Farmhouse.

## GENERAL NOTES Public areas Floor plans produced from information provided by others. Bedroom Fire Detection and Warning system to comply with BS 5839: Part 1: 2017. Emergency Lighting system to comply with BS 5266: Part 1: 2016 and BS EN 1838: 2013. Guest accommodation Fire Fighting Equipment to comply with BS 5306: 3: 2017. Signs and notices to comply with BS 5499: latest edition. Areas accessed by owners only All Fire rated doors to comply with BS 476 and BS EN 1634-1: latest editions, Fire Action Notices are positioned on the back of all guest bedroom doors in

FINAL EXIT DOOR

LIVING ROOM

BATH

KITCHEN ®H

FINAL EXIT DOOR

BEDROOM

KITCHEN

RATH

## Cottages - FIRST FLOOR PLAN

BED 1

BED 2

**HAWTHORN** 



STU	N OIC	www.studio-mcphillips.co.uk studio,mcphillips@gmail.com 07378 307955
CLIENT	Anson Bartlett	
PROJECT	Killean Farmho Premises Licer	ouse and Cottages ace
DRAWING	Cottages - Floor Plans	
DWG NO.	(23-02) 04	REV.
SCALE	1:200 @A3	DATE Feb 2023

suzanne and mark a monhillins

BEDROOM 2

## 83

## LAND REGISTER OF SCOTLAND



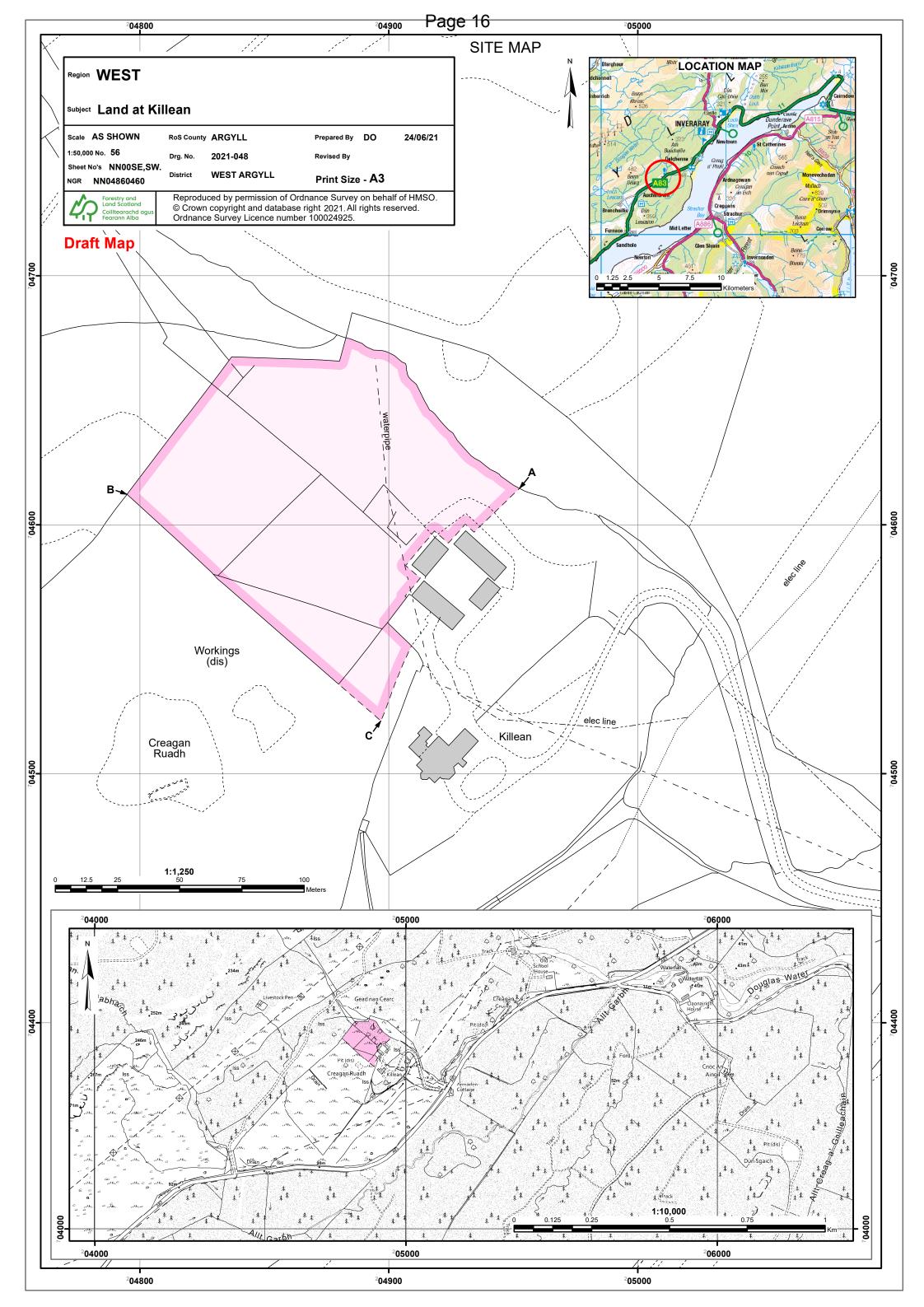
KILLEAN FARM HOUSE, INVERARAY, PA32 8XT

Survey scale 1:2500

Print scale 1:2500 @ A4

30/04/2021 204717 704243 205176 704771 **REQUEST NUMBER 5133691ARG** CROWN COPYRIGHT © This copy has been produced on 30/04/2021 with the authority of Ordnance Survey under Section 47 of the Copyright and Patents Act 1988. Unless there is a relevant exception to copyright, the copy must not be copied without prior permission of the copyright owner. OS Licence no 100041182.

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## Argyll and Bute Licensing Board 25<sup>th</sup> April 2023

## **APPLICATION FOR GRANT OF A PREMISES LICENCE**

NAME OF PREMISES: Riverside Filling Station, Oban Road, Lochgilphead, PA318NG

APPLICANT: MacLeod (Riverside) Limited, Kilmory Industrial Estate, Lochgilphead, PA318RR

AGENT: Jane MacLeod, The Rhinns, Achnaba, Lochgilphead, PA318RY

## **DESCRIPTION OF PREMISES:**

Filling station with grocery store and takeaway sales of hot and cold food and beverages.

	LICENSED HOURS APPLIED FOR		
	ON SALES	OFF SALES	
Monday	N/A	10.00 to 22.00	
Tuesday	N/A	10.00 to 22.00	
Wednesday	N/A	10.00 to 22.00	
Thursday	N/A	10.00 to 22.00	
Friday	N/A	10.00 to 22.00	
Saturday	N/A	10.00 to 22.00	
Sunday	N/A	10.00 to 22.00	

**ACTIVITIES:-** There are currently no activities listed.

**SEASONAL VARIATION:-** None

**CAPACITY OF PREMISES:** - Off sales – 14.36 square metres

**LSO COMMENTS**: The premises is situated adjacent to the A816 Lochgilphead to Oban Road, approximately 0.5 mile west of Lochgilphead Town Centre and the nearest off-sales premises (The Co-op). The premises comprises a filling station and integrated shop and food takeaway. It is intended the premises will be off-sales only with the sale of alcohol being between 1000 and 2200

ITEM 4(b)

daily. The alcohol display (marked red in the layout plan) is adjacent to and includes the area behind the shop sales counter. This display area meets the requirements of Schedule 3, Condition 13 of the Licensing (Scotland) Act 2005 - <u>Licensing (Scotland) Act 2005 (legislation.gov.uk)</u> – in that there is one inaccessible area (behind sales counter) and one publically accessible area.

## Off-Sales Capacity

The capacity is14.36m<sup>2</sup>. The total retail area given over to the display of alcohol is 8.9%

## Designated Premises Manager (DPM)

The DPM will be Niall Calum Charlwood. Mr Charlwood's personal licence application (AR/3510) is currently being processed by the licensing team.

There are no concerns with this application.

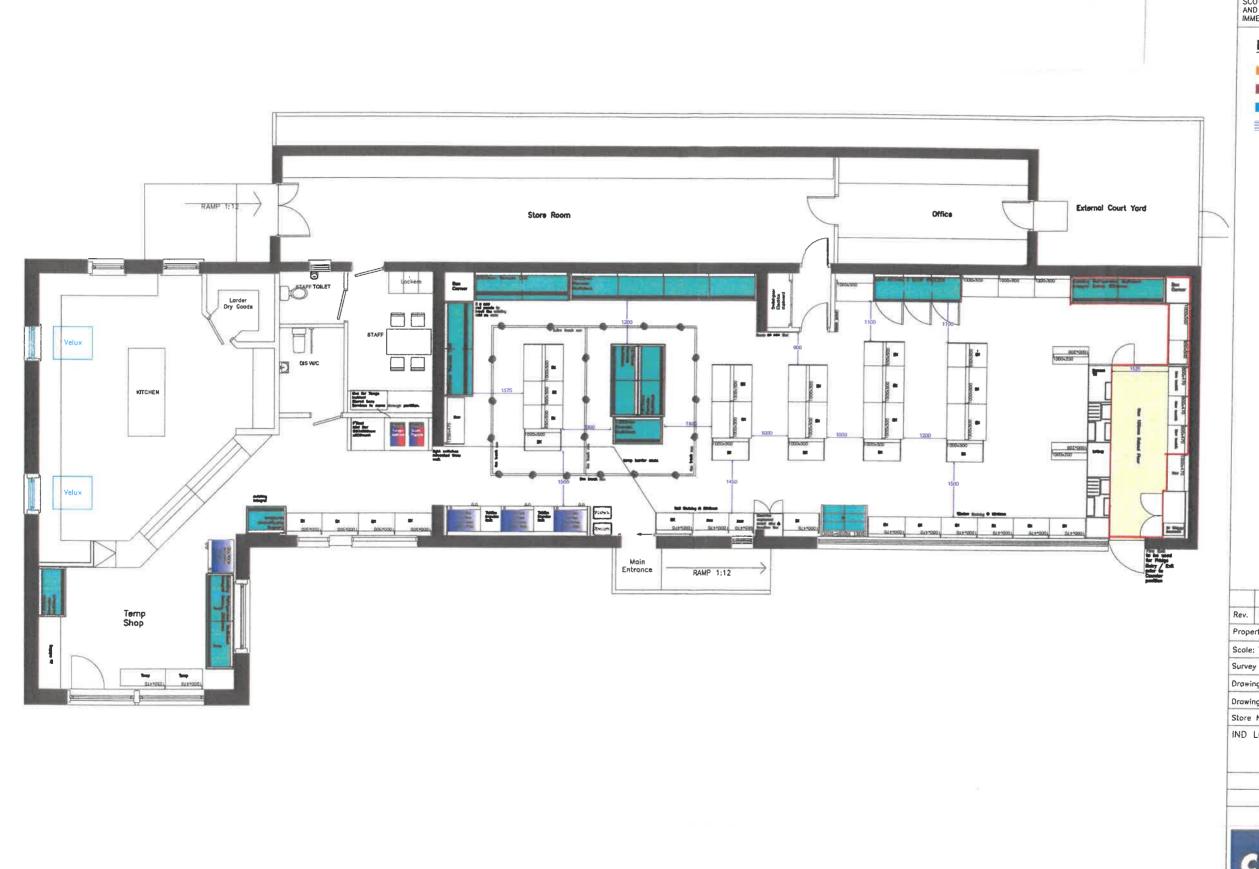
## **EHO**

Environmental Health aware of this application.

**POLICE COMMENTS:** No Police objections

**OBJECTIONS/REPRESENTATIONS:** None

POINTS FOR CONSIDERATION:-



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Rev. Description Date

Property Manager: T.Bryce

Scale: 1:100 Date: 18.06.21 Drawn by: LW

Survey Undertaken-Full/Part/Fire: Others

Drawing No: IND 2000 Rev: —

Drawing type: Proposed

Store Name and Address:

IND LOCHGILPHEAD

Store No:



CJ Lang & Sons Ltd, 78 Longtown Rd,Dundee,DD4 8JU Tel: 01382 512000 This page is intentionally left blank

## Argyll and Bute Licensing Board 25<sup>th</sup> April 2023

## **VARIATION OF A PREMISES LICENCE**

NAME OF PREMISES: Ambience Café, Unit 3, 7 Victoria Street, Rothesay, PA200AJ

**APPLICANT:** Pawel Martyniuk, 1M The Minister's Brae, Rothesay, PA209BG

AGENT: N/A

## **DESCRIPTION OF PREMISES:**

Cafe/Restaurant being Unit 3 at 7 Victoria Place, Rothesay, PA200AJ, the footprint of which is shown outlined in red on the attached location and layout plans.

	EXISTING CORE HOURS		PROPOS	ED CORE HOURS
	ON SALES	OFF SALES	ON SALES	OFF SALES
Monday	11.00 to 22.00	N/A	11.00 to 22.00	11.00 to 22.00
Tuesday	11.00 to 22.00	N/A	11.00 to 22.00	11.00 to 22.00
Wednesday	11.00 to 22.00	N/A	11.00 to 22.00	11.00 to 22.00
Thursday	11.00 to 22.00	N/A	11.00 to 22.00	11.00 to 22.00
Friday	11.00 to 22.00	N/A	11.00 to 22.00	11.00 to 22.00
Saturday	11.00 to 22.00	N/A	11.00 to 22.00	11.00 to 22.00
Sunday	11.00 to 22.00	N/A	11.00 to 22.00	11.00 to 22.00

## **DETAILS OF VARIATIONS SOUGHT:-**

The applicant wishes to vary the licence as follows:-

- 1) To add off-sales to allow customers to take unfinished alcohol home.
- 2) To add receptions, funerals and Club or other group meeting as activities.
- 3) At Question 5, remove comment regarding restriction of alcohol sold.
- 4) To amend the Children and Young Persons conditions.
- 5) To remove the outdoor capacity as there is no outdoor drinking.

ITEM 5(a)

**CURRENT ACTIVITIES:** Restaurant facilities and recorded music.

**QUESTION 5:** The following wording is currently stated at Question 5 – "The only alcohol which is to be sold is wine or beer including speciality beers". The applicant would wish this wording to be removed.

## **CURRENT CHILDREN & YOUNG PERSONS CONDITIONS:-**

TERMS —No children will be permitted on the premises unless accompanied by a responsible adult. Young persons will be allowed on the premises unaccompanied but no alcohol will be served to them.

AGES - All ages of children and young persons will be permitted.

TIMES – 11.00 to 20.00.

PARTS - All parts which are open to the public.

## PROPOSED CHILDREN & YOUNG PERSONS CONDITIONS:-

TERMS – Children will be permitted on the premises if accompanied by an adult 18 years or over.

Young persons will be permitted access to the premises.

AGES – Children 0-15 years. Young persons 16 & 17 years

TIMES - May remain until 22.00

PARTS - All public parts with the exception of the immediate vicinity of the bar area.

LSO: See report attached

**POLICE COMMENTS:** No Police objections.

**OBJECTIONS/REPRESENTATIONS: None** 

## POINTS FOR CONSIDERATION:

(1)The addition of off-sales

- (2) The addition of receptions, funerals and club or other group meetings as activities
- (3) To remove the current restriction on the types of alcohol that may be sold which is limited to wine or beer including specialty beers
- (4) Amendment of the terms for children and young persons to allow them to remain on the premises until 10p.m. (currently 8p.m.)
- (5)To reduce the capacity figure from 28 persons to 22 persons as there is no outdoor drinking facilities.

## **LSO REPORT**

## AMBIENCE CAFÉ, UNIT 3, 7 VICTORIA STREET, ROTHESAY, ISLE OF BUTE, PA20 0AG (REPORT BY RAYMOND PARK)

The premises management have taken the opportunity to review the current Operating Plan and now propose changes to suit the business going forward.

## **Operating Plan**

**Question 1** 

Current; on sales only

Proposed; both on and off sales

**Question 3**, add off sales, to allow customer to take unfinished alcohol home as part of meal service.

Current: N/A

Proposed; 11:00 till 22:00 7 days

## **Question 5 Activity**

Add; Receptions and club meetings

## Column 4, further details box;

**Current**; "background music only will be played in the premises and for which applicant has performing rights certificate. The premises will operate as a cafe/restaurant. The only alcohol which is to be sold is wine or beer including speciality beers. It is in a town centre location and ideal for tourists and locals."

**Proposed**; remove all current content, particularly with regard to restriction of type of alcohol sold, applicant would like to offer spirits to customers, Irish coffee etc.

**Box should now read**; Restaurant may open earlier than 11am to cater for breakfasts/funerals etc, should there be a demand. No alcohol will be sold/supplied out with core hours.

## **Question 6 Children and Young persons**

## **Terms**

## Current;

No children will be permitted on the premises unless accompanied by a responsible adult. Young persons will be allowed on the premises unaccompanied but no alcohol will be served to them.

## Proposed:

Children will be permitted on the premises if accompanied by an adult, 18 years or over. Young persons will be permitted access to the premises.

## Ages

## Current;

All ages of children and young persons will be permitted.

## **Proposed**

Children 0-15 years Young Persons 16 & 17 years

## **Times**

**Current**; 11:00 to 20:00

Proposed May remain until 22:00

## **Parts**

Current; all parts which are open to the public.

Proposed; All public parts with the exception of the immediate vicinity of the bar area

## **Question 7**

## Capacity

**Current**; on sales – 28 capacity breakdown - 22 indoors 6 outside.

Depicts a breakdown for indoors and outdoors, no outside drinking of alcohol is requested

## **Proposed**

Capacity 22.

## **EHO**

No issues.

## Argyll and Bute Licensing Board 25<sup>th</sup> April 2023

## **VARIATION OF A PREMISES LICENCE**

NAME OF PREMISES: Burnside Bar, 1 Burnside Street, Campbeltown, PA286JE

APPLICANT: James McLean, Whinhill House, Witchburn Road, Campbeltown, PA28 6RD

AGENT: N/A

## **DESCRIPTION OF PREMISES:**

Lounge and public bar located in town square occupying lower floor of a tenement building.

	EXISTING LICENSED 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 02.00	11.00 to 22.00	
Saturday	11.00 to 02.00	11.00 to 22.00	
Sunday	11.00 to 01.00	11.00 to 22.00	

## **DETAILS OF VARIATIONS SOUGHT:-**

The applicant wishes to vary the licence as follows:-

1) To add a further 3 metres to the existing outdoor licensed area whilst allowing the necessary space for public walkway.

**CURRENT ACTIVITIES:** Recorded music; Televised sport and outdoor drinking area.

**LSO COMMENTS:** This application is to utilise the outdoor area directly in front of the premises to allow for outdoor drinking. The premises already has outdoor drinking recorded in the operating plan, but this application is to re-affirm the area to be used once major roadworks to Burnside Square, outside the premises, are completed.

The LSO has no concerns with this application. The local Roads Officer, James Ross, also has no objections, but asks that if the variation application is granted the outside area should be run per the Council's Pavement Café Guidelines –







## **EHO**

Environmental Health aware of this application.

**POLICE COMMENTS:** No Police objections

**OBJECTIONS/REPRESENTATIONS:** None

POINTS FOR CONSIDERATION:-

(1) The outside area will require to be delineated/marked out in some way



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# Argyll and Bute Licensing Board 25<sup>th</sup> April 2023 VARIATION OF A PREMISES LICENCE

**NAME OF PREMISES:** Ceabhar Restaurant, Sandaig, Isle of Tiree, PA77 6XQ

**APPLICANT:** Duncan Castling, Address as above

AGENT: N/A

## **DESCRIPTION OF PREMISES:**

The premises are a public house located at Sandaig, Isle of Tiree which operates principally as a restaurant serving residents of the adjoining guesthouse although facilities are provided to other customers.

	EXISTING CORE HOURS		PROPOS	PROPOSED CORE HOURS	
	ON SALES	OFF SALES	ON SALES	OFF SALES	
Monday	12.00 to 23.00	12.00 to 22.00	12.00 to 23.00	12.00 to 22.00	
Tuesday	12.00 to 23.00	12.00 to 22.00	12.00 to 23.00	12.00 to 22.00	
Wednesday	12.00 to 23.00	12.00 to 22.00	12.00 to 23.00	12.00 to 22.00	
Thursday	12.00 to 23.00	12.00 to 22.00	12.00 to 23.00	12.00 to 22.00	
Friday	12.00 to 23.00	12.00 to 22.00	12.00 to 23.00	12.00 to 22.00	
Saturday	12.00 to 23.00	12.00 to 22.00	12.00 to 23.00	12.00 to 22.00	
Sunday	12.30 to 23.00	12.30 to 22.00	12.00 to 23.00	12.00 to 22.00	

## **DETAILS OF VARIATIONS SOUGHT:-**

The applicant wishes to vary the licence as follows:-

- 1) To change the name of the premises to Ceabhar Restaurant and Bun Dubh Brewery.
- 2) To change the description of the premises.
- 3) Change to the layout to include new micro-brewery.

- 4) To change Sunday opening time from 12.30 to 12.00.
- 5) To amend the Seasonal Variation.
- 6) To add tours of micro-brewery and online sales as activities.
- 7) To amend the wording at Children and Young Persons conditions

**CURRENT ACTIVITIES:** Conference facilities; Restaurant facilities; Celebrations; Funerals; Club or other group meetings; Recorded music; Live performances; Dance facilities; Televised sport and outdoor drinking.

**PROPOSED DESCRIPTION OF PREMISES:** The premises are located at Sandaig, Tiree and operate as both a restaurant and micro-brewery.

**CURRENT SEASONAL VARIATION:** Licensed premises trading principally as a reataurant catering for local and tourist trade. Normal opening times hours from 1st April until 31st October will be:

Wednesday to Saturday 7-11pm to the public; Monday and Tuesday evenings from 8.00p to 11.00pm from residents of the guest house next door only; Thursday lunchtimes 12-2pm; Other opening times will be by prior booking only, within the core hours.

Out of season premises hours i.e from 1st November to 31st March will be determined by local demand. The premises will only be open for prior bookings within the core times stated above. Off sales will only be available during opening hours up till 10pm as stated in the core hours stated above.

**PROPOSED SEASONAL VARIATION:** Licensed premises trading principally as a restaurant and brewery catering for local and tourist trade. Normal opening times hours from 1st April until 31st October will be:

Monday to Saturday 7 - 11pm. Other opening times will be by prior booking only, within the core hours.

Out of season premises hours ie. from 1st November to 31st March will be determined by local demand. The premises will only be open for prior bookings within the core times stated above. Off sales will only be available during opening hours up till 10pm as stated in the core hours stated above.

## **CURRENT CHILDREN & YOUNG PERSONS CONDITIONS:-**

TERMS —The geographical situation of the restaurant is such that children and young persons visit the premises accompanying adults/parents during a family/group meal. The restaurant clientele is predominantly adult based and the restaurant location is such that children do not visit the premises without parents providing transportation.

Children under 16 must be accompanied by adults. Young persons aged 16 and 17 will be allowed entry and may buy a meal, but will not be sold alcohol. An adult may however buy specified alcohol for them for consumption with their meal. The specified alcohol is as permitted by the Licensing (Scotland) Act 2005

ITEM 5(c)

AGES - Children under 16 must be accompanied by adults. Young persons aged 16 -17 will be allowed entry and may buy a meal but will not be served alcohol other than as permitted by the Licensing (Scotland) Act 2005

TIMES – Children and young persons shall be permitted access until 10.00pm

PARTS - Children and young persons will be allowed access to all public areas of the premises under appropriate supervision

## PROPOSED CHILDREN & YOUNG PERSONS CONDITIONS:-

TERMS – Children will be permitted access to the premises when accompanied by an adult, 18 years or over. Young persons will be permitted access to the premises.

AGES – Children 0-15 years. Young persons 16 & 17 years

TIMES – Children and young persons shall be permitted access until 10.00pm

PARTS - Children and young persons will be permitted access to all public areas with the exception of the immediate vicinity of the bar counter.

**LSO:** Please see attached Report.

**POLICE COMMENTS:** No Police objections.

**OBJECTIONS/REPRESENTATIONS: None** 

## POINTS FOR CONSIDERATION:

- (1) Change of name and description of premises
- (2) Addition of a new micro-brewery
- (3) Extend the commencement hour for on-sales and off-sales from 12.30p.m. to 12p.m.
- (4) Amendment of the seasonal variation
- (5) Addition of tours of micro-brewery and online sales as activities
- (6) Amendment of terms for children and young persons
- (7) Addition of a further outside area-marked on the layout plan as "Customer Area Hard Standing".



## **LSO REPORT**

## CEABHAR RESTAURANT & BUN DUBH BREWERY, SANDAIG, ISLE OF TIREE, PA77 6XQ (REPORT BY RAYMOND PARK)

The applicant has been in early consultation with the LSO and in line with Planning and Building Standards guidance. He has carried out major refurbishments and re-designed the layout, adding a microbrewery to the internal aspect of property, he has also added to the outdoor drinking areas. The former guest house is now the microbrewery and the family home.

The applicant has also taken this opportunity to update the Premises Licence to reflect the changes to the Layout Plan and Operating Plan in line with the new business model.

He has been working with Planning, Building and Environmental Health throughout, seeking approval and completion to their satisfaction. I am informed that all necessary documentation is now in place to allow the Board to consider grant of this major variation as requested.

## **Premises Licence**

## Name of Premises

**Current**; Ceabhar Restaurant

Proposed; Ceabhar Restaurant and Bun Dubh Brewery

## **Description of Premises**

**Current;** The premises are a public house located at Sandaig, Isle of Tiree which operates principally as a restaurant serving residents of the adjoining guesthouse although facilities are provided to other customers.

**Proposed;** the premises are located at Sandaig, Tiree and operate as both a restaurant and micro-brewery.

## **Operating Plan**

## Question 2 core hours on sales.

**Current;** Monday to Saturday 12:00 23:00, Sunday 12:30 to 23:00

Proposed; Monday to Sunday 12:00 to 23:00

Sunday opening changed from 12:30 to 12:00 in line with rest of the week.

## **Question 3 Core hours off sales**

**Current;** Monday to Saturday 12:00 22:00, Sunday 12:30 to 22:00

Proposed; Monday to Sunday 12:00 to 22:00

Sunday opening changed from 12:30 to 12:00 in line with rest of the week

## **Question 4 Seasonal Variation**

**Current**; Licensed premises trading principally as a restaurant catering for local and tourist trade. Normal opening times hours from 1st April until 31st October will be:

Wednesday to Saturday 7-11pm to the public; Monday and Tuesday evenings from 8.00pm to 11.00pm for residents of the guest house next door only; Thursday lunchtimes 12-2pm; other opening times will be by prior booking only, within the core hours.

Out of season premises hours i.e. from 1st November to 31st march will be determined by local demand. The premises will only be open for prior bookings within the core times stated

above. Off sales will only be available during opening hours up till 10pm as stated in the core hours stated above.

**Proposed**; Licensed premises trading principally as a restaurant and brewery, catering for local and tourist trade. Normal opening times hours from 1st April until 31st October will be:

Monday to Saturday 7-11pm. Other opening times will be by prior booking only, within the core hours.

Out of season premises hour's i.e. from 1st November to 31st march will be determined by local demand. The premises will only be open for prior bookings within the core times stated above.

Off sales will only be available during opening hours up till 10pm as stated in the core hours stated above.

## Question 5 (f) any other activities.

Current: nil

**Proposed**; As part of the visitor experience, pre booked tours of our Micro Brewery, inclusive of tasting sessions will be available to the public. On line sales and dispatch/delivery of our alcohol products will take place on and from the premises.

## **Question 6 Children and Young Persons.**

## **Terms**

**Current**; the geographical situation of the restaurant is such that children and young person's visit the premises accompanying adults/parents during a family/group meal. The restaurant clientele is predominately adult based and the restaurant location is such that children do not visit the premises without parents providing transportation.

Children under 16 must be accompanied by adults. Young persons aged 16 and 17 will be allowed entry and may buy a meal, but will not be sold alcohol. An adult may however buy specified alcohol for them for consumption with their meal. The specified alcohol is as permitted by the licensing (Scotland) act 2005

**Proposed**; Children will be permitted access to the premises when accompanied by an adult 18 years or over. Young persons will be permitted access to the premises.

## Ages;

**Current**; Children under 16 must be accompanied by adults. Young persons aged 16 -17 will be allowed entry and may buy a meal but will not be served alcohol other than as permitted by the licensing (Scotland) act 2005

Proposed; Children 0-15 years Young Persons 16 & 17 years.

## Times;

No Change; Children and Young Persons shall be permitted access until 10.00pm

## Parts:

**Current**; Children and Young Persons will be allowed access to all public areas of the premises under appropriate supervision

**Proposed**; Children and young persons will be permitted access to all public areas with the exception of the immediate vicinity of the bar counter.

## **Layout Plan**

## Page 35

The layout plan has been updated to reflect the changes to the footprint and purpose of the restaurant and previous guest house as a microbrewery/family home. The applicant has added additional areas for outside drinking and is content to follow the terms of the Board's policy on use till 10pm adult's 8pm children.



- 13.15 m

— 21.80 m

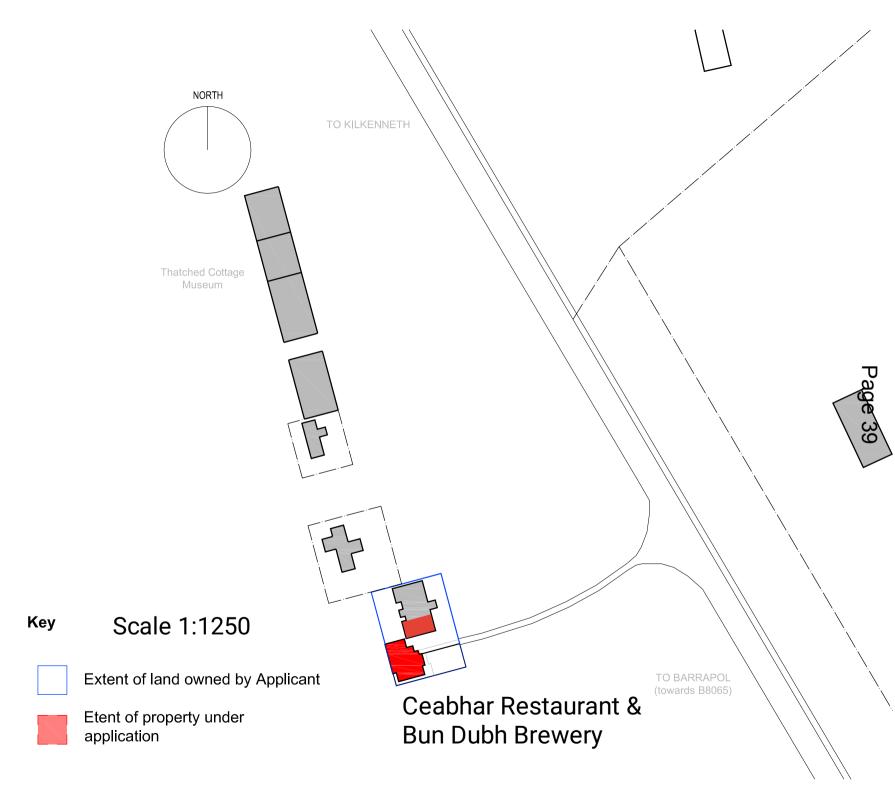
– 11.31 m

Premises access and exit

21.00111

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## Page 41

First photo shows the existing restaurant and grassed outdoor area together with the hard-standing area for the new distillery via the steel gates. The second photo shows a close up of the entrance to the existing restaurant and entrance to the new distillery (part of the main house converted.)

Photo three shows an overall general view which includes the applicants home. (other half of the new distillery )



## Page 42





## **VARIATION OF A PREMISES LICENCE**

**NAME OF PREMISES:** Coasters Bar, Corran Esplanade, Oban, PA345PS

APPLICANT: Mario Di Ciacca, Ardmhor, Ardconnel Road, Oban, PA34 5DJ

AGENT: N/A

#### **DESCRIPTION OF PREMISES:**

Public house in town centre

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

#### **DETAILS OF VARIATIONS SOUGHT:-**

The applicant wishes to vary the licence as follows:-

- 1) To reduce terminal hour on Friday and Saturday to 24.00.
- 2) To amend the seasonal variation.
- 3) To remove live performances and add restaurant facilities, outdoor drinking and takeaways as activities.
- 4) To open for breakfasts from 8am to 11am.

ITEM 5(d)

5) To amend the Children and Young Persons conditions.

**CURRENT ACTIVITIES:** Bar meals; Celebrations; Funerals; Club or other group meetings; Recorded music; Live performances; Sports and televised sports.

**CURRENT SEASONAL VARIATION:** The premises would be open until 1.00am on 25th December, 26th December, 31st December and 1st January wherever these fall in any year to celebrate Christmas and the Hogmanay festivities.

The applicant reserves the right to close the premises up to 1 hour earlier in the months of November, January, February and March depending upon clientele demand and staffing arrangements.

**PROPOSED SEASONAL VARIATION:** The premises would be open until 1.00am on 25th December, 26th December, 31st December and 1st January wherever these fall in any year to celebrate Christmas and the Hogmanay festivities.

The applicant reserves the right to close the premises at 10pm in the months of November, January, February and March depending upon clientele demand and staffing arrangements.

#### **CURRENT CHILDREN & YOUNG PERSONS CONDITIONS:-**

TERMS —Children and young persons will be permitted access to the premises between the hours of 11.00am and 9.00pm provided they are accompanied by an adult and for the purpose of taking a meal.

AGES - Children and young persons up to the age of 18.

TIMES – Children and young persons will be permitted access to the premises between the hours of 11.00am and 9.00pm provided they are accompanied by an adult and for the purpose of taking a meal.

PARTS - Children and young persons will be permitted to all parts of the premises shaded on the layout plan.

#### PROPOSED CHILDREN & YOUNG PERSONS CONDITIONS:-

TERMS – Children and young persons will be permitted access to the premises between the hours of 8.00am and 9.00pm provided they are accompanied by an adult and for the purpose of taking a meal.

AGES – Children and young persons up to the age of 18.

TIMES – Children and young persons will be permitted access to the premises between the hours of 8.00am and 9.00pm provided they are accompanied by an adult and for the purpose of taking a meal.

PARTS - Children and young persons will be permitted to all parts of the premises shaded on the layout plan.

**LSO:** Please see attached Report.

**POLICE COMMENTS:** No Police objections.

#### **OBJECTIONS/REPRESENTATIONS:** None

#### POINTS FOR CONSIDERATION:

- (1) Reduction in the terminal hour for on-sales from 1a.m. to midnight on a Friday and Saturday
- (2) Amendment of the seasonal variation
- (3)To remove live performances as an activity and to add restaurant facilities, outdoor drinking and takeaways as activities
- (4) To open for breakfasts from 8a.m. to 11a.m.
- (5) To amend the description of the premises
- (6) With regard to the proposed outdoor area, a photo is attached showing the exterior of the premises. As the adjacent road is a trunk road, the applicant was required to seek agreement from Transport Scotland. They have advised that, sticking rigidly to their guidelines, there is insufficient footway width available for tables and chairs to be placed on the public footway outside the premises. They then state, however, that as a neighbouring premises (The Chocolate Shop) has tables and chairs outside their premises without complaint then, in the interests of even-handedness, they will permit the siting of tables and chairs outside Coasters on the understanding that they are reviewed for appropriateness.

There is concern that the siting of tables and chairs at this location together with an appropriate barrier to delineate the outside area will not leave sufficient space for the safe passage of pedestrians, wheelchair users, etc as required in terms of the Council's Pavement Café Guidelines. Further inquiries are being made with the Council's Roads Services in this regard and an update will be provided to the Board at their meeting.

It should be noted that The Chocolate Shop is not a licensed premises. A check is also being made on the street furniture currently located outside these premises as it's thought that it may be only a bench.



#### **LSO REPORT**

## COASTERS BAR, CORRAN ESPLANADE, OBAN, PA34 5PS (REPORT BY ERIC DEARIE)

The premises is a well-established wine bar situated on Corran Esplanade, adjacent to the A85 Trunk Road in Oban Town Centre. This variation comprises –

#### Premises Licence - Description of Premises

To amend the description of the premises recorded on the front of the premises licence and summary premises licence –

Current Description – "Public house in town centre." Proposed – "Bistro Restaurant."

#### Operating Plan

Question 2: on-sales hours - amend on-sales hours on Friday and Saturday from 1100 – 0100 to 1100 to 2400.

Question 4: Seasonal Variation - add -

"The premises would be open until 1.00am on the 25<sup>th</sup>December, 26<sup>th</sup> December, 31<sup>st</sup> December and 1<sup>st</sup> January wherever these fall in any year to celebrate Christmas and the Hogmanay festivities.

The applicant reserves the right to close the premises up to 1 hour earlier in the months of November, January, February and March, depending on clientele demand and staffing arrangements. / changed to closing at 10pm depending on seasonal variations depending on clientele demand and staffing arrangements."

This appears almost identical to the current variation (with the exception of the second paragraph). Applicant may have to explain what is being proposed.

Question 5(a): Restaurant – allow activity by changing from No to Yes in each column.

Question 5(c): Live Performance – disallow activity by changing from Yes to No in each column.

Question 5(d): Outdoor Drinking – allow activity by changing from No to Yeas in columns 2 & 3 only.

<u>Question 5:</u> Box below activities: allow breakfasts between 8am and 11am; include takeaways; use of outdoor area for drinks/food; amend premises description to bistro restaurant.

In relation to outdoor drinking, applicant has yet to submit an updated layout plan.

Question 5(f): remove current wording in its entirety. In relation to outdoor drinking the Board may wish to record outdoor curfew times, i.e. 2200 hours for persons aged 18 years and over and 2000 for children and young persons.

Question 6: Children & Young Persons -

The only change to the current access wording is to change the times from 1100-2100 to 0800-2100

#### Layout Plan

The applicant has supplied a copy of the layout plan for the premises updated with the proposed outdoor drinking area measurements. The pavement area abuts the A85 Trunk Road, the upkeep of which lies with Transport Scotland, who have approved the request for an outdoor drinking area. The Board may wish the outdoor area to be cordoned off (e.g. roped) when in use so that customers and staff are aware of the extent of the licensed area.



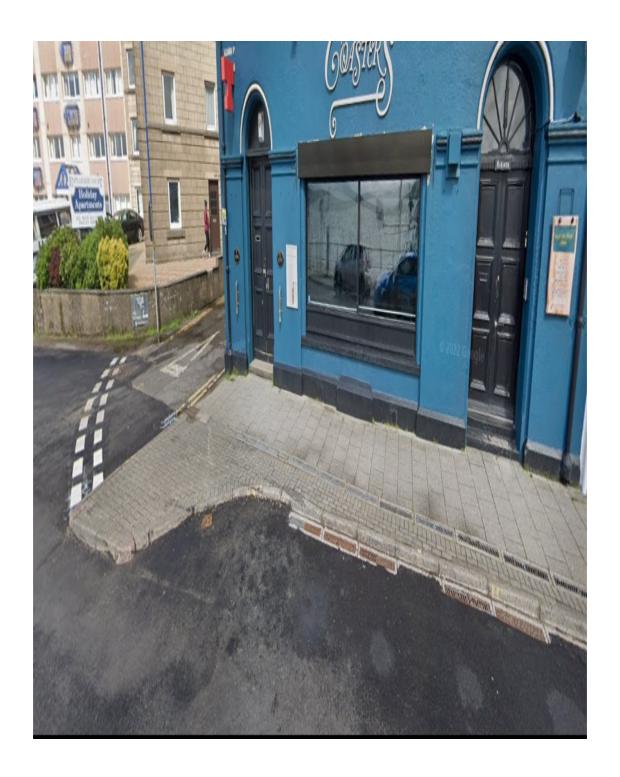


Re Coasters Bar - RE Coasters Bar - Layout Plan OFFICIAL Layout Plan OFFICIAL

#### **EHO**

Environmental Health aware of this application.







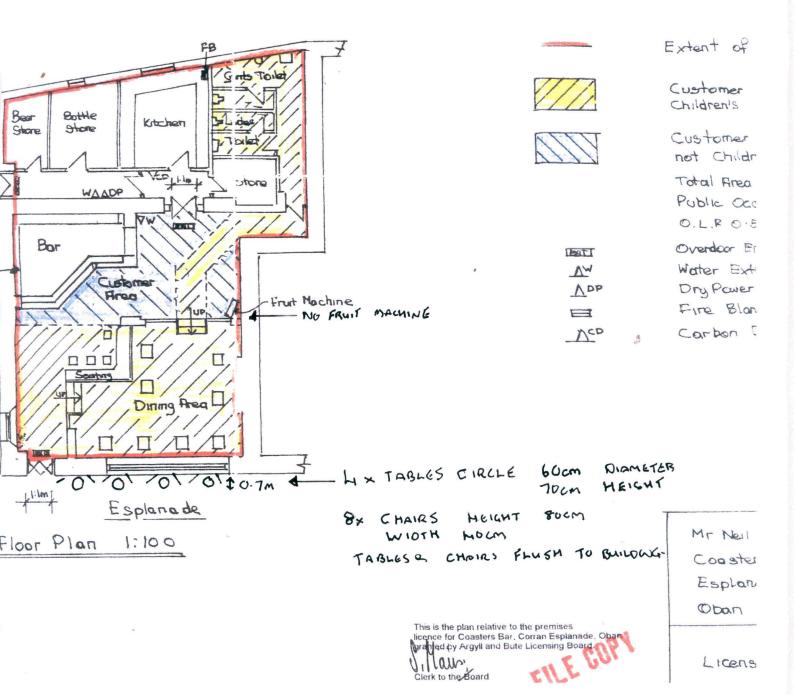
Residential Properties

Chacolate factory

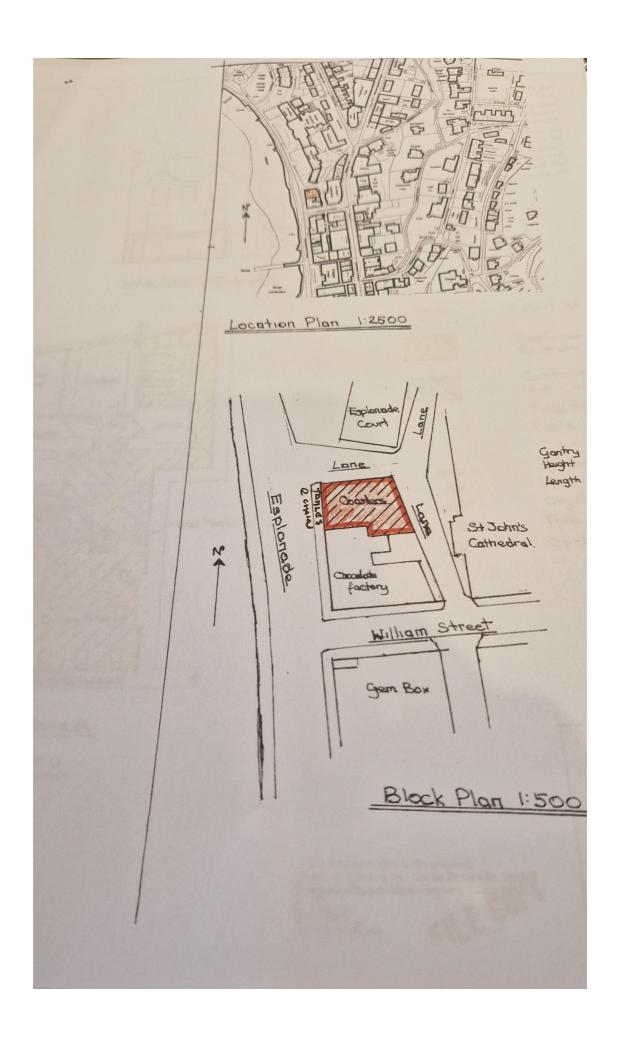
Line Filevation 1:200

General Notes

Fire Warning sys.
5829: Rart 1200
Emergency Light
85 5766: Rart 1
and 85 EN1828
Fire fighting Ec
BS EN3 BS 181
and B.5 5606Signs and Not
Health and So
Regulations 194
199









### **VARIATION OF A PREMISES LICENCE**

NAME OF PREMISES: Kilchoman Distillery, Rockside Farm, Isle of Islay, PA49 7UT

**APPLICANT:** Kilchoman Distillery Company Ltd., The Old Surgery, School Road, Tarbert,

**PA29 6UL** 

**AGENT:** MacDonald Licensing, 21A Rutland Square, Edinburgh, EH1 2BB

#### **DESCRIPTION OF PREMISES:**

The licensed premises consist of an off and on sale facility for cafe premises and a gift shop situated within a whisky distillery on the Isle of Islay.

	EXISTING CORE HOURS		PROPOSED CORE HOURS	
	ON SALES	OFF SALES	ON SALES	OFF SALES
Monday	10.00 to 18.00	10.00 to 18.00	10.00 to 23.00	10.00 to 22.00
Tuesday	10.00 to 18.00	10.00 to 18.00	10.00 to 23.00	10.00 to 22.00
Wednesday	10.00 to 18.00	10.00 to 18.00	10.00 to 23.00	10.00 to 22.00
Thursday	10.00 to 18.00	10.00 to 18.00	10.00 to 23.00	10.00 to 22.00
Friday	10.00 to 18.00	10.00 to 18.00	10.00 to 23.00	10.00 to 22.00
Saturday	10.00 to 18.00	10.00 to 18.00	10.00 to 23.00	10.00 to 22.00
Sunday	10.00 to 18.00	10.00 to 18.00	10.00 to 23.00	10.00 to 22.00

#### **DETAILS OF VARIATIONS SOUGHT:-**

The applicants wish to vary the licence as follows:-

- 1) To increase on sales hours to 11pm daily.
- 2) To increase off sales hours to 10pm daily.
- 3) To add a seasonal variation.

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ITEM 5(f)

4) To add whisky dinners which may include tastings, dinners for various groups, fundraising events and small functions.

**CURRENT ACTIVITIES:** Conference facilities; Restaurant facilities; Recorded music; Live performances and outdoor drinking.

**PROPOSED SEASONAL VARIATION:** May take advantage of any General Extensions by the Board, including for example the festive period and any other dates considered appropriate by the Board.

**LSO:** The licensed premises consist of an off and on sale facility for cafe premises and a gift shop situated within a whisky distillery on the Isle of Islay. This variation comprises –

#### **Operating Plan**

Question 2: on sales hours – change from 1000-1800 (Mon-Sun) to 1000-2300 (Mon-Sun)

Question 3: off sales hours - change from 1000-1800 (Mon-Sun) to 1000-2200 (Mon-Sun)

Question 4: Seasonal Variation - add -

"May take advantage of General Extensions by the Board, including for example the Festive period and any other dates considered appropriate by the Board."

Question 5(f) – Any Other activities – add

"Whisky Dinners, which may include tastings; dinners for various groups, clubs and charities; fundraising events for groups, clubs and charities; and small functions, such as wedding, ceilidh, and gatherings of folk. These events will take place in the current Visitors Centre, the old Visitors Centre or Board Room."

#### **EHO**

Environmental Health aware of this application.

**POLICE COMMENTS:** No Police objections.

**OBJECTIONS/REPRESENTATIONS:** None

#### POINTS FOR CONSIDERATION:

- (1) Extend the terminal hour for on-sales from 6p.m. to 11p.m. Monday to Sunday
- (2) Extend the terminal hour for off-sales from 6p.m. to 10p.m.
- (3) Addition of a seasonal variation
- (4) The addition of whisky dinners which may include tastings, dinners for various groups, clubs and charities, fundraising events and small functions.

### **VARIATION OF A PREMISES LICENCE**

NAME OF PREMISES: Portavadie Marina, Portavadie, PA212DA

APPLICANT: Portavadie Estates Ltd, 1 Anthony Road, Largs, KA30 8EQ

**AGENT:** N/A

#### **DESCRIPTION OF PREMISES:**

Facilities building at Portavadie Marina providing office accommodation, toilets, showers and laundry with a bar and restaurant with balcony for outdoor eating and drinking and a marquee with the dimensions of 20 metres by 10 metres for the main section and 10 metres by 5 metres for the entrance section, which has gents, ladies and disabled toilet facilities.

	EXISTING LICENSED HOURS		
	ON SALES	OFF SALES	
Monday	10.00 to 01.00	10.00 to 22.00	
Tuesday	10.00 to 01.00	10.00 to 22.00	
Wednesday	10.00 to 01.00	10.00 to 22.00	
Thursday	10.00 to 01.00	10.00 to 22.00	
Friday	10.00 to 01.00	10.00 to 22.00	
Saturday	10.00 to 01.00	10.00 to 22.00	
Sunday	10.00 to 01.00	10.00 to 22.00	

#### **DETAILS OF VARIATIONS SOUGHT:-**

The applicants wish to vary the licence as follows:-

1) To allow the three premises licences for Portavadie Marina, Lodge at Portavadie Marina and Spa & Leisure at Portavadie to be merged into one.

ITEM 5(g)

**CURRENT ACTIVITIES:** Restaurant facilities; Bar meals; Celebrations; Funerals; Club or other group meetings; Recorded music; Live performances; Dance facilities; Outdoor drinking.

**NEW NAME OF PREMISES:** Portavadie Loch Fyne

**NEW DESCRIPTION OF PREMISES:** Facilities Building: Bar/restaurant with balcony for outdoor eating and drinking, marquee and off sales gift/grocers shop. Office accommodation, toilets, showers and laundry.

Leisure Centre: Spa, gymnasium and café/deli on the ground floor. Function room (Bulloch and Revie Suite), spa, juice bar and external spa deck on the first floor.

Lodge: Ground floor resident's lounge.

#### **CURRENT CHILDREN AND YOUNG PERSON'S CONDITIONS:-**

TERMS – Children will be allowed entry unaccompanied until 8.00pm after which they must be accompanied by an adult. No restrictions for young persons.

AGES – 0-17 years

TIMES – No restrictions

PARTS – All public areas

#### PROPOSED CHILDREN AND YOUNG PERSON'S CONDITIONS:-

TERMS – Children will be allowed entry unaccompanied until 8.00pm after which they must be accompanied by an adult aged 18 years or over. No restrictions for young persons.

AGES – Children 0-15 years. Young persons 16 & 17 years

TIMES — From opening until:-Children: 10pm unless attending a pre-booked function or event when they will be permitted to remain for the duration. Young persons will be permitted to remain on the premises until the terminal hour.

PARTS - In general; all public areas with the exception of the immediate vicinity of the bar counters. Specifically Spa & Leisure - External spa deck and first floor - children are not permitted on the spa deck and are not permitted in the first floor area except in the Bulloch Suite function room and access to and from it and children must be accompanied by an adult aged 18 or over. Young persons are permitted in the spa and spa deck but must be accompanied by an adult aged 18 or over.

**NEW PREMISES MANAGER:** lain Jurgensen.

**LAYOUT PLAN:** This variation will necessitate a single layout plan for the common land and buildings owned and managed by the applicant. The new layout plan depicts the individual licensed areas within a single footprint.

**CURRENT CAPACITY OF PREMISES:** On-Sales 701 persons (501 for premises and 200 for marquee)

Off-Sales 4.28 square metres

**PROPOSED CAPACITY OF PREMISES:** Marina – On Sales – 701 persons

Off sales - 4.28 square metres

Spa & Leisure – On Sales – 385 persons

Lodge – On Sales – 164 persons

**LSO COMMENTS:** Please see attached Report.

**POLICE COMMENTS:** No Police objections

**OBJECTIONS/REPRESENTATIONS:** None

POINTS FOR CONSIDERATION:-

(1) The merger of 3 separate premises licences into one premises licence



#### **LSO REPORT**

## PORTAVADIE, LOCHFYNE, PORTAVADIE, PA21 2DA (REPORT BY RAYMOND PARK)

Major Variation application with regard to AR608 Portavadie Marina, AR741 Lodge at Portavadie Marina and AR808 Spa & Leisure at Portavadie

A recent review of the Portavadie estate & business model has resulted in a desire to merge the three separate licensed premises into one single premises licence. Unification will provide a more effective, efficient and economical business model with no adverse effect on the licencing objectives or customer experience. An application to vary the Portavadie Marina to include and combine all premises within the same footprint has been submitted for the Licensing Board's consideration. If granted, AR741 & AR808 will be surrendered.

#### Layout Plan

If granted, three Premises Licences, each with its own individual layout plan will merge into one.

This will necessitate a single layout plan for the common land and buildings owned and managed by the applicant. The new layout plan depicts the individual licensed areas within a single footprint. Please see new proposed layout plan submitted.

#### Premises Licence change of name and description

The merger will require a change to the name and description of the premises

New Name; Portavadie Loch Fyne.

#### New description;

**Facilities building**; Bar/restaurant with balcony for outdoor eating and drinking, marquee and off sales gift/grocers shop, office accommodation, toilets, showers and laundry.

**Leisure centre**; Spa, gymnasium and cafe-deli on the ground floor. Function room (Bulloch Suite), spa, juice bar and external spa deck on the first floor.

Lodge; Ground floor resident's lounge.

#### **Operating Plan**

#### **Question 5**

As a combined Operating Plan (activities transferred from the other two Operating Plans.

Add; Accommodation, conference, theatre, films, gaming, indoor/outdoor sports,

#### Question 5f Additional Activity

Retail shop selling gifts, clothing, footwear, provisions, chandlery and alcohol off sales. Self-catering guest and staff accommodation, festivals, product launches boat launches.

Question 6 Children and Young persons Terms Children will be allowed entry unaccompanied until 8.00pm after which they must be accompanied by an adult. (Add; aged 18 years or over) No restrictions for young persons.

#### Ages

Current 0-17
Proposed Children 0-15 Young Persons 16 & 17

#### **Times**

Current; no restrictions

Proposed; from opening until;

Children; 10pm, unless attending a pre booked function or event when they will be permitted to remain for the duration.

Young persons will be permitted to remain on the premises until the terminal hour.

#### **Parts**

In general; all public areas with the exception of the immediate vicinity of the bar counters.

Specifically, Spa and Leisure; External spa deck and first floor - children are not permitted on the spa deck and are not permitted in the first floor area except in the Bulloch suite function room and access to and from it and children must be accompanied by an adult age 18 or over. Young persons are permitted in the spa and spa deck but must be accompanied by an adult age 18 or over.

#### **Question 7**

#### Capacity of premises

Marina; on sales 701 persons, off sales 4.28 square metres display

Spa & Leisure; on sales 385,

Lodge; on sales 164

Change of DPM to applicant lain Jurgensen (applicant)

#### **EHO**

No issues.



## **VARIATION OF A PREMISES LICENCE**

NAME OF PREMISES: Strachur Filling Station, Main Road, Strachur, PA27 8DG

**APPLICANT:** Arlene Stirling, Clachan Cottage, Strachur, PA278DG

AGENT: N/A

#### **DESCRIPTION OF PREMISES:**

Rural filling station with convenience store, petrol and diesel are both sold. Premises are principal source for supply of these to local community.

	EXISTING CORE HOURS		PROPO	PROPOSED CORE HOURS	
	ON SALES	OFF SALES	ON SALES	OFF SALES	
Monday	N/A	10.00 to 18.00	N/A	10.00 to 18.00	
Tuesday	N/A	10.00 to 18.00	N/A	10.00 to 18.00	
Wednesday	N/A	10.00 to 18.00	N/A	10.00 to 18.00	
Thursday	N/A	10.00 to 18.00	N/A	10.00 to 18.00	
Friday	N/A	10.00 to 18.00	N/A	10.00 to 18.00	
Saturday	N/A	10.00 to 18.00	N/A	10.00 to 18.00	
Sunday	N/A	12.30 to 18.00	N/A	10.00 to 18.00	

#### **DETAILS OF VARIATIONS SOUGHT:-**

The applicant wishes to vary the licence as follows:-

To change the off sales start time on a Sunday from 12.30pm to 10.00am.

**CURRENT ACTIVITIES:** There are no activities listed on the premises licence.

ITEM 5(h)

**LSO:** The applicant has reviewed her current Operating Plan and in response to demand has applied to have the off sales licence hours changed to align Sunday opening with the rest of the week.

**Operating Plan** 

**Question 3 Off Sale hours** 

Current; Monday to Saturday; 10:00 till 18:00, Sunday; 12:30 till 18:00

Proposed; 10:00 till 18:00 seven days.

No further changes requested.

**EHO** 

No issues

**POLICE COMMENTS:** No Police objections.

**OBJECTIONS/REPRESENTATIONS: None** 

**POINTS FOR CONSIDERATION:** 

(1) Extend the commencement hour for off-sales from 12.30p.m. to 10a.m. on a Sunday

## **VARIATION OF A PREMISES LICENCE**

NAME OF PREMISES: The Brewery, Islay House Square, Bridgend, Isle of Islay, PA44 7NZ

**APPLICANT:** Islay Whisky Centre Ltd, 7 Keills Cottages, Keills, Isle of Islay, PA 46 7RF

AGENT: N/A

#### **DESCRIPTION OF PREMISES:**

Micro brewery incorporating warehouse for the despatch of alcohol by off-sales.

	EXISTING CORE HOURS		PROPOSED CORE HOURS	
	ON SALES	OFF SALES	ON SALES	OFF SALES
Monday	N/A	10.00 to 22.00	10.00 to 22.00	10.00 to 22.00
Tuesday	N/A	10.00 to 22.00	10.00 to 22.00	10.00 to 22.00
Wednesday	N/A	10.00 to 22.00	10.00 to 22.00	10.00 to 22.00
Thursday	N/A	10.00 to 22.00	10.00 to 22.00	10.00 to 22.00
Friday	N/A	10.00 to 22.00	10.00 to 22.00	10.00 to 22.00
Saturday	N/A	10.00 to 22.00	10.00 to 22.00	10.00 to 22.00
Sunday	N/A	10.00 to 22.00	10.00 to 22.00	10.00 to 22.00

#### **DETAILS OF VARIATIONS SOUGHT:-**

The applicant wishes to vary the licence as follows:-

- 1) To add on sales hours.
- 2) To add recorded music, live performances and outdoor drinking as activities.
- 3) To change the premises manager.
- 4) Change to layout plan to add whisky shop in Old Brewery premises.

**CURRENT ACTIVITIES:** There are currently no activities listed on the licence.

**CHANGE OF PREMISES MANAGER:** Change to Bryony Boyd.

**LSO:** Please see attached Report.

**POLICE COMMENTS:** No Police objections.

**OBJECTIONS/REPRESENTATIONS: None** 

#### **POINTS FOR CONSIDERATION:**

(1) Addition of on-sales 10a.m. to 10p.m. Monday to Sunday

- (2) Addition of recorded music, live performances and outdoor drinking as activities
- (3) Nature of live performances
- (4) Change of premises manager
- (5) Addition of a whisky shop to the layout plan
- (6) Delineation of the outdoor area

#### **LSO REPORT**

#### THE BREWERY, ISLAY HOUSE SQUARE, BRIDGEND, ISLE OF ISLAY, PA44 7NZ

The premises is currently a working brewery visitor centre and shop. This variation comprises –

#### Premises Licence – Description of Premises

The trading model of the premises is changing from a working brewery visitor centre and shop, to a whisky themed visitor centre and shop. This will necessitate an update of the description of the premises.

#### Operating Plan

Question 2: On Sales hours – change from 1100-2200 (Mon-Sun) to 1000-2200 (Mon-Sun)

Question 3: Off Sales hours – stay as current – 1000-2200 (Mon-Sun)

Question 5(c): Recorded Music & Live Performance – allow by changing No to Yes in columns 2 & 3 only.

Question 5(d): Outdoor Drinking. Already allowed but applicant has submitted updated layout plan.

Question 5: Box below activities: the proposed activities in this box should be transferred to Question 5(f) box as none of these activities are taking place outwith licensed hours (column 4), This box should be blank.

Question 5(f): Any other activities – remove current wording. In addition include the proposed activities from the box above and include the following –

"A whisky shop will be created in the Old Brewery premises selling high end, collectors' whisky; Conduct tastings and hand fill bottles from duty paid casks."

Question 6: Children & Young Persons Access -

## Page 72

Current	Proposed	LSO Suggestion
Terms Children and young persons allowed access when accompanied by a person aged 18 years or over while engaged in brewery tours or visiting the brewery shop. No access to shop serving area	Terms Children over 5 years will be admitted to the premises by a responsible adult over 18 years of age. No children or young people will be admitted to the premises after 6pm	Terms Children over 5 years and young persons will be admitted to the premises by a responsible adult over 18 years. No children or young persons will be admitted to the premises after 6pm
Ages Children (0-15 years) Young persons (16 & 17 years)	Ages Children over 5 years and young persons up to 17 years	Ages Children over 5 years and young persons up to 18 years
Times Access to the premises will be between 10.00am and 10.00pm generally and for the outdoor drinking area 10.00am to 8.00pm.	Times Children & young people will be allowed on the premises from 10am to 6pm. No children will be allowed after 6pm	Times Children over 5 years and young persons will be allowed on the premises from 10am to 6pm.
Parts All public parts of the premises with the exception of the shop serving area	Parts Children will be allowed entry to the shop premises & outdoor tasting areas	Parts Children over the age of 5 years and young persons will be allowed entry to the shop premises & outdoor tasting areas

#### Layout Plan

The layout plan depicts the shop area and updated outdoor drinking area and meets the requirements of The Premises Licence (Scotland) Regulations 2007.

As the premises will be an alcohol themed visitor centre, it is exempt, per <u>Schedule 3</u>, <u>paragraph 13(3)</u> of the Licensing (Scotland) Act 2005, from alcohol display restrictions.

In relation to outdoor drinking, the Board may wish this area to be physically cordoned off, so that customers and staff are aware of the limit to the licensed area.

#### **EHO**

Environmental Health aware of this application.

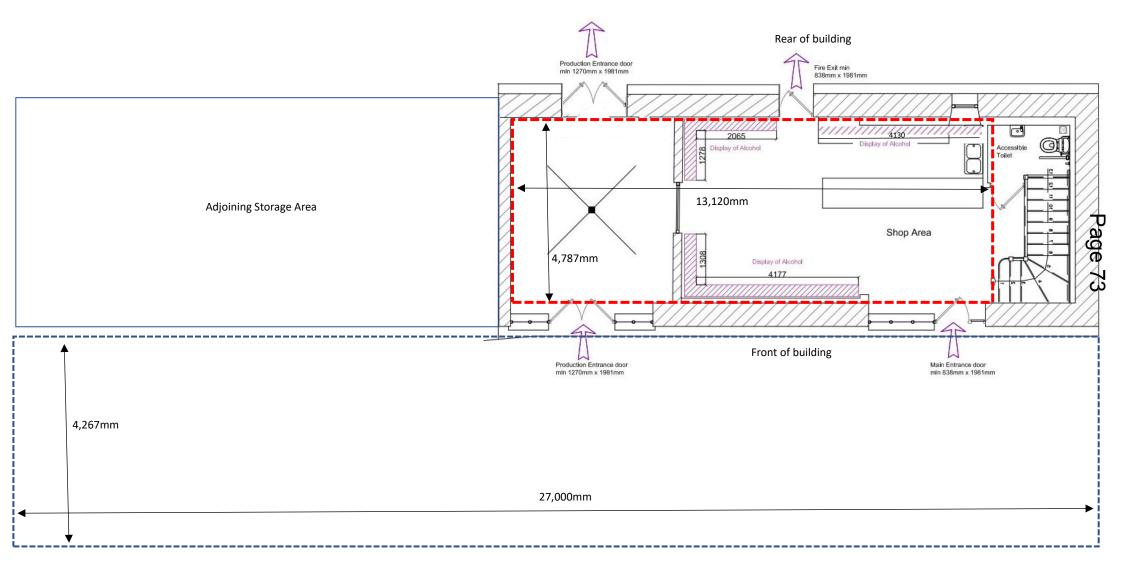
### **Layout Plan**

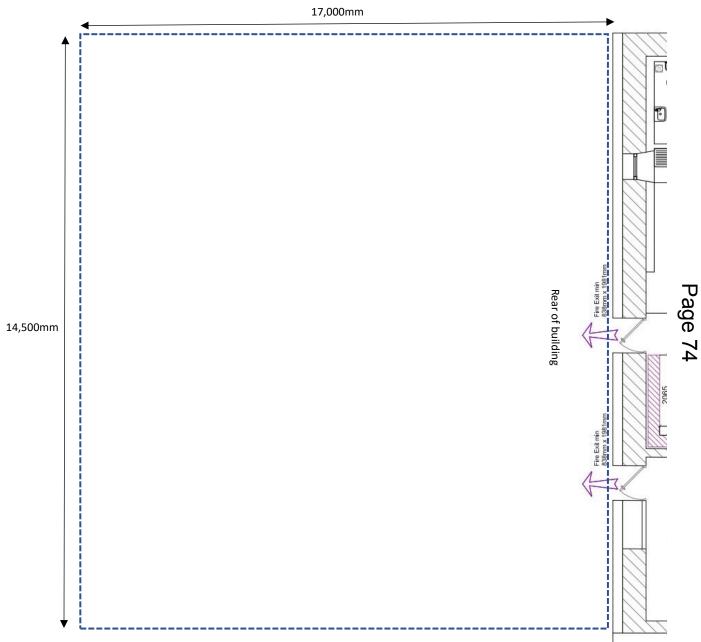


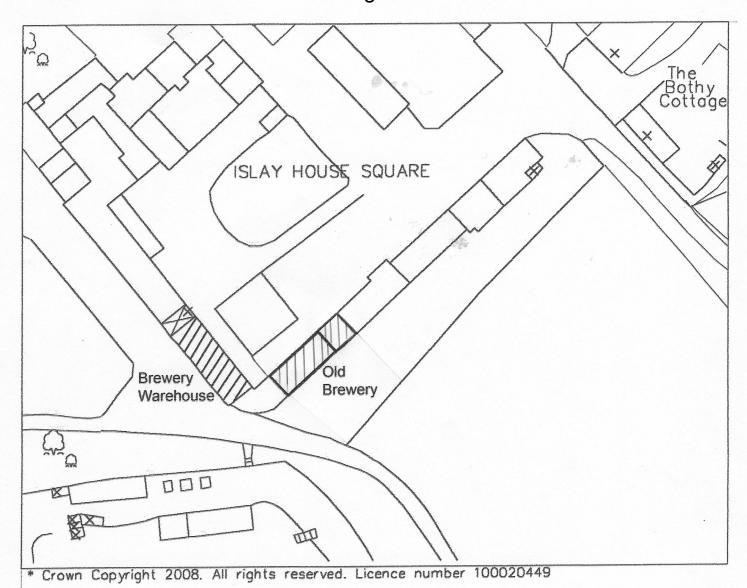
Shop retail & tasting areas

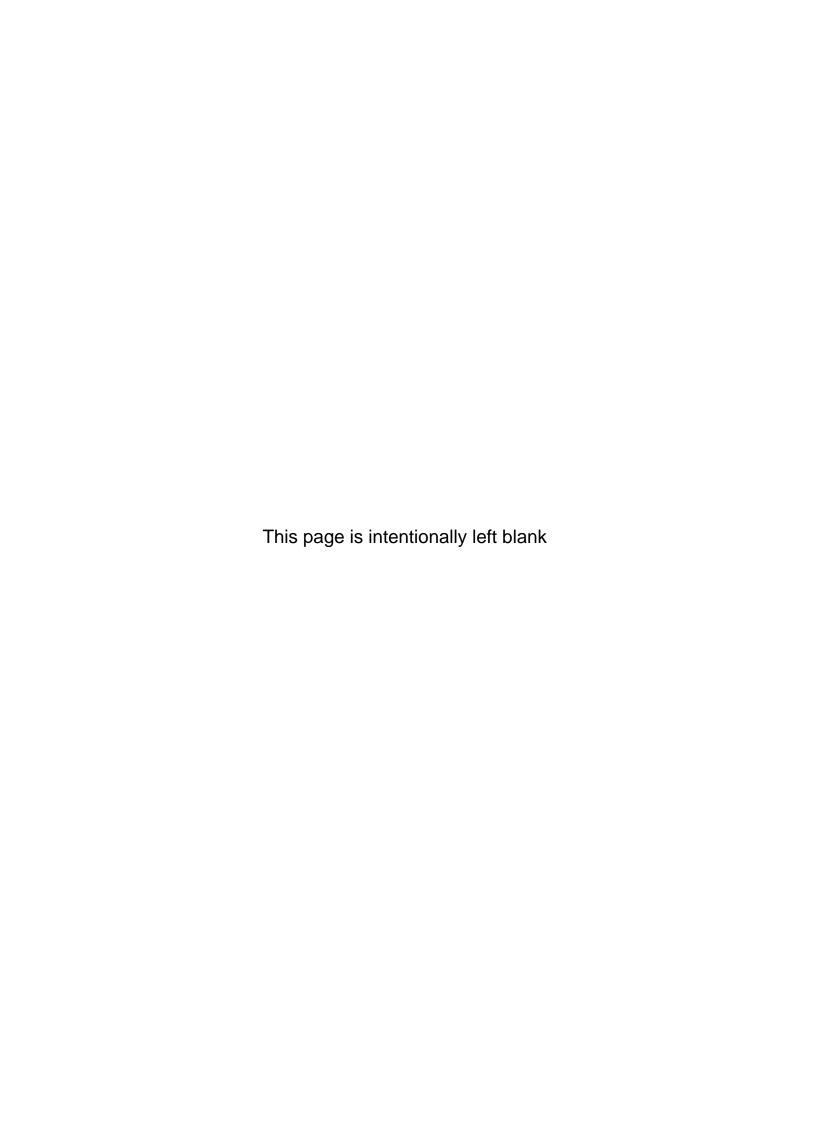
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Front & Rear Outdoor tasting areas









# Argyll and Bute Licensing Board 25<sup>th</sup> April 2023

## **VARIATION OF A PREMISES LICENCE**

NAME OF PREMISES: Pennyghael Hotel, Pennyghael, Isle of Mull, PA706HB

**APPLICANT:** Leader Investments (Scotland) Limited, Unit 8, Baliscate Industrial Estate,

Tobermory, Isle of Mull, PA75 6QA

AGENT: MacArthur Legal, Boswell House, Argyll Square, Oban, PA344BD

#### **DESCRIPTION OF PREMISES:**

Six bedroom hotel with three self catering cottages.

	EXISTING	G CORE HOURS	PROPOSED CORE HOURS							
	ON SALES	OFF SALES	ON SALES	OFF SALES						
Monday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00						
Tuesday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00						
Wednesday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00						
Thursday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00						
Friday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00						
Saturday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00						
Sunday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00						

#### **DETAILS OF VARIATIONS SOUGHT:-**

The applicants wish to vary the licence as follows:-

- 1) To change the name of the premises to The Inn at Port Nan Gael.
- 2) To amend the on sales hours.
- 3) To add off sales hours.
- 4) To add a Seasonal Variation.

- 5) To vary the activities within and outwith core hours.
- 6) To add take aways as an activity on the licence.
- 7) To amend the wording in the Children and Young Persons conditions.

**CURRENT ACTIVITIES:** Accommodation; Restaurant facilities; Bar meals; Celebrations; Funerals; Club or other group meetings; Recorded music and live performances.

**PROPOSED SEASONAL VARIATION:** During the months of October to April the premises will be permitted to open one hour later than the commencement of core hours and will be permitted to close on hour prior to the end of core hours.

#### **CURRENT CHILDREN AND YOUNG PERSON'S CONDITIONS:-**

TERMS – Young persons and children are only allowed entry if they are resident of the hotel and if they are accompanied by an adult. Non-residents children are allowed entry if they are dining in the restaurant and accompanied by an adult.

AGES – Children of all ages are allowed access providing they are resident of the hotel. Only children aged over 14 years will be allowed if they are dining at the restaurant as part of a family group and accompanied by an adult.

TIMES – Resident children are allowed access at all times providing they are accompanied by parents or responsible adult. Non - resident children are only allowed access if they are dining at the restaurant when accompanied by an adult.

PARTS – Resident children have access to the accommodation area plus the dining room/lounge area. If in the lounge/dining area they must be accompanied by a parent/responsible adult. Non resident children only have access to the lounge/dining area if they are dining in the restaurant.

#### PROPOSED CHILDREN AND YOUNG PERSON'S CONDITIONS:-

TIMES – Children and young persons are only allowed entry if they are residents of the hotel and if they are accompanied by an adult. Children and young persons who are non-residents are allowed entry if they are dining in the restaurant and are accompanied by an adult or to purchase takeaway food.

AGES – Children and young persons of all ages are allowed access providing they are resident of the hotel. Only children aged over 14 years will be allowed if they are dining at the restaurant as part of a family group and accompanied by an adult. Children and young persons of all ages will be permitted entry to purchase takeaway food.

TIMES – Resident children and young persons of the hotel are allowed access at all times provided they are accompanied by an adult. Non resident children and young persons are only allowed access if they are dining at the restaurant when accompanied by an adult or purchasing takeaway food.

PARTS - Resident children and young persons have access to the accommodation area plus the dining room/lounge area. If in the lounge/dining area they must be accompanied by a parent/responsible adult. Non resident children and young persons only have access to the lounge/dining area if they are dining in the restaurant. Children and young person's purchasing takeaway food will be permitted in the reception area.

**LSO:** The premises are a six bedroom Hotel with three self-catering cottages and situated on the A849, Craignure to Bunessan road, in a very rural area. This variation comprises –

#### **Premises Name**

Change name of premises on front of premises licence from Pennyghael Hotel to The Inn at Port Na Gael.

#### **Operating Plan**

Question 1(c): request on and off sales recorded.

Question 2 (on sales hours): change from 1900-2300 (Mon-Sun) to 1100-0100 (Mon-Sun)

Question 3 (off sales hours): currently no off sales. Add 1100-2200 (Mon-Sun).

Question 4 (Seasonal Variation): change No to Yes and remove N/A and add -

"During the months of October to April the premises will be permitted to open one hour later than the commencement of core hours and will be permitted to close one hour prior to the end of core hours."

Question 5(a) (restaurant): Yes in each column

#### Question 5(c):

Recorded music - Yes in each column

Live Performance - Yes in columns 2&3 only

Dance Facilities – No in each column

Theatre - No in each column

Films - No in each column

Gaming - No in each column

Indoor/Outdoor Sports - No in each column

Televised Sport – Yes in each column

Question 5(d) Outdoor Drinking - No in each column

#### **Question 5: Box below activities:**

"The restaurant will be open to provide restaurant facilities prior to core hours from 0800. The premises will also provide take away food outwith and during core hours to meet seasonal demand. Live music and televised sports will be available at those times."

<u>Question 6(c): Children & Young Persons</u>: in *Ages*, the reference to Children shall include Young Persons.

#### **EHO**

Environmental Health aware of this application.

**POLICE COMMENTS:** No Police objections.

**OBJECTIONS/REPRESENTATIONS: None** 

#### POINTS FOR CONSIDERATION:

- (1) Extend the on-sales hours (currently 7p.m. to 11p.m. Monday to Sunday) to 11a.m. to 1a.m. Monday to Sunday,
- (2) Addition of off-sales hours 11a.m. to 10p.m. Monday to Sunday
- (3) Change of name
- (4) Addition of a seasonal variation
- (5) The addition of takeaways as an activity
- (6) Amendment of the terms for children and young persons
- (7) To vary the activities within and outwith core hours

# Argyll and Bute Licensing Board 25<sup>th</sup> April 2023

## **VARIATION OF A PREMISES LICENCE**

NAME OF PREMISES: The Keel Row, Fionnphort, Isle of Mull, PA66 6BL

**APPLICANT:** Keel Row Consortium Ltd., Address as above

AGENT: N/A

#### **DESCRIPTION OF PREMISES:**

Lounge and public barlocated in town square occupying lower floor of a tenement building.

	EXISTING LICENSED HOURS									
	ON SALES	OFF SALES								
Monday	12.00 to 24.00	12.00 to 22.00								
Tuesday	12.00 to 24.00	12.00 to 22.00								
Wednesday	12.00 to 24.00	12.00 to 22.00								
Thursday	12.00 to 24.00	12.00 to 22.00								
Friday	12.00 to 01.00	12.00 to 22.00								
Saturday	12.00 to 01.00	12.00 to 22.00								
Sunday	12.30 to 24.00	12.30 to 22.00								

#### **DETAILS OF VARIATIONS SOUGHT:-**

The applicants wish to vary the licence as follows:-

- 1) To vary the wording in the seasonal variation.
- 2) To vary the Children and Young Person's conditions.

**CURRENT ACTIVITIES:** Restaurant facilities; Bar meals; Celebrations; Funerals; Club or other group meeting; Recorded music; Live performances; Dance facilities; Indoor/outdoor sports; Televised sports; Outdoor drinking area.

**CURRENT SEASONAL VARIATION:** The premises will be open until 1.00am on Hogmanay 31st December whenever that falls in any given year.

The premises will be closed all day on New Year's Day 1st of January whenever that falls in any given year.

The premises will be closed on Christmas Day 25th December.

The premises will open at 4.00pm on Boxing Day

In winter months i.e the months of November, December, January and February and up to the Easter weekend whenever that falls the applicant reserves the right to close the premises up to two hours earlier if there are no patrons in the premises and up to one hour earlier for the same reason in the summer months between Easter weekend until 31st October.

**PROPOSED SEASONAL VARIATION:** The premises will be open until 1.00am on Hogmanay 31st December.

The premises will be closed all day on New Year's Day 1st January.

The premises will be closed on Christmas Day 25th December.

The premises will open at 5.00pm on Boxing Day.

In the winter months from 1st November and up to Easter weekend whenever that falls the Management reserves the right:-

- To close the premises up to two hours earlier than the terminal hour if there are no patrons in the premises, and
- To close on Mondays, Tuesdays and Wednesdays, to open from 16.00 on Thursdays and Fridays and to operate core times on Saturdays and Sundays.

In the summer months from Easter weekend until 31st October, the management reserves the right to close the premises up to one hour earlier than the terminal hour if there are no patrons in the premises.

#### **CURRENT CHILDREN & YOUNG PERSON'S CONDITIONS:-**

TERMS – Children under the age of 16 years of age will be permitted on the premises provided they are accompanied by an adult for the purposes of consuming a meal, quiz event, attending a function or specific children's activity. Young persons aged 16 and 17 will be permitted entry to the premises without an adult being present for the purpose of consuming a meal. Young persons may also go into the pool room unaccompanied.

AGES – Children under the age of 16. Young persons aged 16 and 17.

TIMES – Children and young persons will be allowed entry to the premises between 12 noon (and 12.30pm on Sundays) until 9.00pm at night for the purpose of consuming a meal.

Children and young persons will be allowed to remain on later in the premises if waiting for a table or finishing a meal and if accompanying their parents to a function. In that case they can remain on the premises with their parents until core closing hours.

On Hogmanay young persons aged 16 and 17 as long as they are accompanied by a parent or responsible adult may stay on the premises until 1.00am.

ITEM 5(k)

PARTS – The parts of the premises that children and young persons will be allowed entry are the specific areas of the bar for the purpose of consuming a meal, the restaurant area and access to the outside seating areas together with access to the Pool Room as mentioned above and public toilets.

#### PROPOSED CHILDREN & YOUNG PERSON'S CONDITIONS:-

TERMS – Children and young persons allowed access in the company of a responsible person aged 18 years or over for the purpose of consuming food, snacks, refreshment etc. and on occasions such as family parties and celebrations, quiz nights etc. will be allowed to remain until the end of the event. AGES – Children of all ages (0-15) and young persons (16 & 17 years).

TIMES – From 12 noon until 22.00 (indoors) and 20.00 (outdoors).

Children and young persons will be allowed to remain later on the premises if waiting for a table or finishing a meal, or if accompanied to a function by a responsible adult. In that case, they cam remain on the premises with the responsible adult until core closing hours if necessary.

On Hogmanay young persons aged 16 and 17 may stay on the premises until 1.00am as long as they are accompanied by a responsible adult.

PARTS - All public parts of the premises, with the exception of the bar area where access is specifically permitted only as necessary for through access to the restaurant.

**LSO COMMENTS:** Please see attached Report.

**POLICE COMMENTS:** No Police objections

**OBJECTIONS/REPRESENTATIONS:** None

POINTS FOR CONSIDERATION:-

- (1) Amendment of the seasonal variation
- (2) Amendment of the terms for children and young persons



#### **LSO REPORT**

### THE KEEL ROW, FIONNPHORT, ISLE OF MULL, PA66 6BL (REPORT BY ERIC DEARIE)

The Keel Row is a family orientated Pub and Restaurant situated in its own self-contained garden and grounds in the village of Fionnphort at the Southern tip of the Ross of Mull with a population of approximately 80 people. The nearest other licensed premises on the island is at Bunessan which is 6 miles away. The establishment caters for a large tourist customer base during the summer season - Easter to November - and is a well-attended local community pub during the winter off-season months. In addition to the restaurant and bar meal facilities, there is an outside seating area where food and alcohol are served. This variation application comprises -

#### Operating Plan

#### Question 4: Seasonal Variation -

<u>Current</u>
"The premises will be open until 1.00am on Hogmanay 31st December whenever that falls in any given

The premises will be closed all day on New Year's Day 1st of January whenever that falls in any given

The premises will be closed on Christmas Day 25th December. The premises will open at 4.00pm on Boxing Day. In winter months i.e. the months of November, December, January and February and up to the Easter week end whenever that falls the applicant reserves the right to close the premises up to two hours earlier if there are no patrons in the premises and up to one hour earlier for the same reason in the summer months."

#### Proposed

"The premises will be open until 01:00 on Hogmanay 31st December. The premises will be closed all day on New Year's Day 1st of January. The premises will be closed all day on Christmas day 25th December. The premises will open at 17:00 on Boxing Day 26th December. In the winter months from 1st November and up to Easter week end whenever that falls the management reserves the right:

- to close the premises up to two hours earlier than the terminal hour if there are no patrons in the premises, and
- to close on Mondays, Tuesdays, and Wednesdays, to open from 16:00 on Thursdays and Fridays, and to operate core times on Saturdays and Sundays.

In the summer months from Easter weekend until 31st October, the management reserves the right to close the premises up to one hour earlier than the terminal hour if there are no patrons in the premises".

#### Question 6: Children & Young Persons Access –

Current	Proposed	LSO Suggestion

#### Terms

Children under the age of 16 years of age will be permitted on the premises provided they are accompanied by an adult for the purposes of consuming a meal, quiz event, attending a function or specific children's activity.

Young persons aged 16 and 17 will be permitted entry to the premises without an adult being present for the purpose of consuming a meal.

Young persons may also go into the pool room unaccompanied.

#### Ages

Children under the age of 16. Young persons aged 16 and 17.

#### Times

Children and young persons will be allowed entry to the premises between 12 noon (and 12.30pm on Sundays) until 9.00pm at night for the purpose of consuming a meal. Children and young persons will be allowed to remain on later in the premises if waiting for a table or finishing a meal and if accompanying their parents to a function. In that case they can remain on the premises with their parents until core closing hours.

On Hogmanay young persons aged 16 and 17 as long as they are accompanied by a parent or responsible adult may stay on the premises until 1.00am.

#### Parts

The parts of the premises that children and young persons will be allowed entry are the specific areas of the bar for the purpose of consuming a meal, the restaurant area and access to the outside seating areas together with access to the pool room as mentioned above and public toilets.

#### Terms

Children and young persons allowed access in the company of a responsible person aged 18 years or over for the purpose of consuming food, snacks, refreshment, etc., and on occasions such as family parties and celeb rations, quiz nights, etc. Will be allowed to remain until the end of the event.

#### Ages

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

#### Times

From 12:00 noon until 22:00 (indoors) and 12:00 noon until 20:00 (outdoors).

Children and young persons will be allowed to remain later on the premises if waiting for a table or finishing a meal, or if accompanied to a function by a responsible adult. In that case, they can remain on the premises with the responsible adult until core closing hours if necessary.

On Hogmanay young persons aged 16 and 17 may stay on the premises until 1:00am as long as they are accompanied by a responsible adult.

#### Parts

All public parts of the premises, with the exception of the bar area where access is specifically permitted only as necessary for through access to the restaurant.

Terms As proposed

Ages

As proposed

#### Times

Children and young persons will be allowed to remain later on the premises if waiting for a table or finishing a meal

How late if waiting for a table or finishing a meal?

Parts

As proposed

#### **EHO**

Environmental Health aware of this application.

# Argyll and Bute Licensing Board 25<sup>th</sup> April 2023

## **VARIATION OF A PREMISES LICENCE**

NAME OF PREMISES: The Olive Garden, Unit 2, Waterfront Centre, Railway Pier, Oban, PA344LW

APPLICANT: Joan Felgate, 53 MacPherson Road, Dunbeg, by Oban, PA37 1AR

AGENT: MacArthur Legal, Boswell House, Argyll Square, Oban PA344BD

#### **DESCRIPTION OF PREMISES:**

Ground floor, single storey restaurant premises in Unit situated on Railway Pier, Oban with entrance on to the Pier and also facing the Railway Station, providing a full range of meals to include a la carte, pizza and snacks and light meals throughout the stated core hours. The premises include an outdoor drinking area shown outlined in red and shaded blue on the plan.

EXISTING LICENSED HOURS								
ON SALES	OFF SALES							
11.00 to 23.00	N/A							
11.00 to 23.00	N/A							
11.00 to 23.00	N/A							
11.00 to 23.00	N/A							
11.00 to 01.00	N/A							
11.00 to 01.00	N/A							
11.00 to 23.00	N/A							
	11.00 to 23.00  11.00 to 23.00  11.00 to 23.00  11.00 to 23.00  11.00 to 01.00  11.00 to 01.00							

#### **DETAILS OF VARIATIONS SOUGHT:-**

The applicant wishes to vary the licence as follows:-

- 1) To amend the seasonal variation.
- 2) To add the sale of take away food and hot and cold non-alcoholic beverages from 08.00 to 20.00 daily.

3) To amend the on-sales capacity to 138.

**CURRENT ACTIVITIES:** Conference facilities; Restaurant facilities; Celebrations; Funerals; Club or other group meetings; Recorded music; Live performances; Dance facilities; Televised sport and outdoor drinking

**CURRENT SEASONAL VARIATION:** 1. The outdoor area shown outlined in red and coloured blue will be open from April to September, dependent on the weather conditions and the terminal hour will be 10pm.

- 2. The outdoor area shown coloured green shall open throughout the year and
- 3. The Management reserves the right, dependent on trade, to open the premises later or close earlier on any day of the week or close on certain days of the week or at certain times of the year, notably between 30 September and 1 April.

**PROPOSED SEASONAL VARIATION:** 1. The outdoor area shown shaded green within the area outlined in red shall be open throughout the year.

2. The Management reserves the right, dependent on trade, to open the premises later or close earlier on any day of the week or close on certain days of the week or at certain times of the year, notably between 30 September and 1 April.

**CURRENT ON-SALES CAPACITY** – 199 persons

#### PROPOSED ON-SALES CAPACITY – 138 persons

The change to capacity and update to the wording in the seasonal variation has come about because there used to be two outside areas. One of these areas was removed by a minor variation in 2013 but the capacity and wording in the seasonal variation were never changed. This is to put right the wording in the licence.

**LSO COMMENTS:** Ground floor, single storey restaurant premises in Unit situated on Railway Pier, Oban, with entrance on to the Pier and also facing the Railway Station, providing a full range of meals to include a la carte, pizza and snacks and light meals throughout the stated core hours. The premises include an outdoor drinking area shown outlined in red and shaded blue on the plan. This variation application comprises —

### Operating Plan

#### Question 4: Seasonal Variation -

#### Current

- "1. The outdoor area shown outlined in red and coloured blue will be open from April to September, dependent on the weather conditions and the terminal hour will be 10pm.
- 2. The outdoor area shown coloured green shall open throughout the year and

**ITEM 5(I)** 

3. The management reserves the right, dependent on trade, to open the premises later or close earlier on any day of the week or close on certain days of the week or at certain times of the year, notably between 30 September and 1 April."

#### Proposed

"1. The outdoor area shown shaded within the red lines on the plan shall open throughout the year.

2. The management reserves the right, dependent on trade, to open the premises later or close earlier on any day of the week or close on certain days of the week or at certain times of the year, notably between 30<sup>th</sup> September and 1<sup>st</sup> April."

#### Question 5(f): Any Other Activities – add -

"The premises will be permitted to sell takeaway food and hot and cold non-alcoholic beverages from 8:00 to 20:00 daily."

#### **Question 7: Capacity**

#### Current

On sales - 199

Capacity breakdown - inside area - 108

Outside area - 91

#### **Proposed**

On sales - 138

Capacity breakdown - inside area - 108

Outside area - 30

#### **EHO**

Environmental Health aware of this application.

**POLICE COMMENTS:** No Police objections

**OBJECTIONS/REPRESENTATIONS:** None

#### POINTS FOR CONSIDERATION:-

- (1) Amendment of the seasonal variation
- (2) Addition of takeaway food together with hot and cold non-alcoholic beverages as an activity from 8a.m. to 8p.m. daily
- (3) Reduction in the on-sales capacity figure from 199 persons to 138 persons which is due to there being only one outside area)

# THE ARGYLL AND BUTE LICENSING BOARD - 25<sup>™</sup> APRIL 2023 KILMORY, LOCHGILPHEAD

#### **GAMBLING ACT 2005**

#### APPLICATION FOR AN ADULT GAMING CENTRE

PREMISES KNOWN AS: Hunter's Quay Holiday Village

ADDRESS: Dolphin Leisure Centre

**Hunter's Quay** 

Dunoon, PA23 8HP

APPLICANT: Inspired Gaming UK Ltd

**107 Station Street** 

**Burton Upon Trent, DE14 1SZ** 

OPERATING LICENCE No: 000-001090-N-104166-016

AGENT: None

TYPE LICENCE APPLIED FOR: Adult Gaming Centre

An Adult Gaming Centre allows an operator to offer an unlimited number of Category C and D gaming machines and up to 20 per cent of the total number of machines, can be of Category B3 or B4

Category C Machines have £1 stake and maximum prize of £100

Category D Machines are low-stake fruit machine style machines, coin pushers (sometimes called penny falls) or crane grabs.

Category B3 machines have £2 stake and maximum prize of £500

Category B4 machines have £2 stake and maximum prize of £400

PROPOSED OPERATING HOURS: 9am to Midnight

#### ANY OTHER RELEVANT INFORMATION

- 1. The Applicant submitted the application on 13th February 2023
- 2. Applicant advert was placed in Dunoon Observer on 24<sup>th</sup> February 2023 objection period expires 24<sup>th</sup> April 2023
- 3. No objections from interested parties have been received to date
- 4. The Police have confirmed they have no observations/comments to make on 23<sup>rd</sup> February 2023
- 5. Board determines firstly whether responses from responsible authority or interested party otherwise are admissible. Interested party defined as person who:
  - (a) lives sufficiently close to premises to be likely to be affected by the authorisation of a licence; or
  - (b) has business interests that might be affected; or
  - (c) someone who represents either (a) or (b).
- 6. After determining whether representation comes from responsible authority or interested party, the Board must then determine its relevance.
- 7. These premises currently hold an unlicensed family entertainment centre permit which was granted on 6th October 2022. They also have a licensed premises gaming machine permit which has been in place since 4th March 2013. Copy licences attached
- 8. Mandatory conditions apply to adult gaming centres as detailed below
- 1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
- 2. No customer shall be able to access the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued by virtue of section 285 of, or Schedule 10 or 12 to, the Act, has effect.
- 3. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.
- 4.—(1) No alcohol shall be sold, or permitted to be consumed, at any time during which facilities for gambling are being provided on the premises.

- (2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.
  - The applicant has been advised they will require to address the Board on how they will comply with the mandatory conditions.
  - 8. There are no default opening hours for adult gaming centres. The licensing authority can determine these on a case by case basis. The applicant has requested the hours of 9am to Midnight

This form is prescribed by regulation 4 of the Gambling Act 2005 (Family Entertainment Centre Gaming Machine((Permits)Regulations 2007

## **Unlicensed Family Entertainment Centre Gaming Machine Permit**

## This family entertainment centre gaming machine permit authorises:

Inspired Gaming Uk Ltd First Floor 107 Station Street Burton Upon Trent Staffordshire, DE14 1SZ

# to make Category D gaming machines available for use on the following premises:

Hunter's Quay Holiday Village Dolphin Leisure Centre and Shop Hunter's Quay Dunoon PA23 8HP

Date on which this permit takes effect: 06/10/2022

Date on which this permit expires: 05/10/2032

This permit is issued by: Argyll and Bute Licensing Board

**Kilmory** 

Lochgilphead

Argyll PA318RT

Clerk to the Licensing Board

Date: 06/10/2022

This form is prescribed by regulation 9(1) of the Licensed Premises Gaming Machine Permits (Scotland) Regulations 2007

**Licensed Premises Gaming Machine Permit** 

**No:** G/PL/17

This licensed premises gaming machine permit authorises:

Hunters Quay Leisure Centre (Cowal Leisure Centre)

To make gaming machines, of the category and number specified below, available for use on the following premises

Hunters Quay Holiday Village By Dunoon PA23 8HP

Number of Category C gaming machine authorised by this permit 3

Number of Category D gaming machine authorised by this permit 22

Date on which this permit takes effect: 4/3/2013

This permit is issued by: Argyll and Bute Licensing Board

**Kilmory** 

Lochgilphead

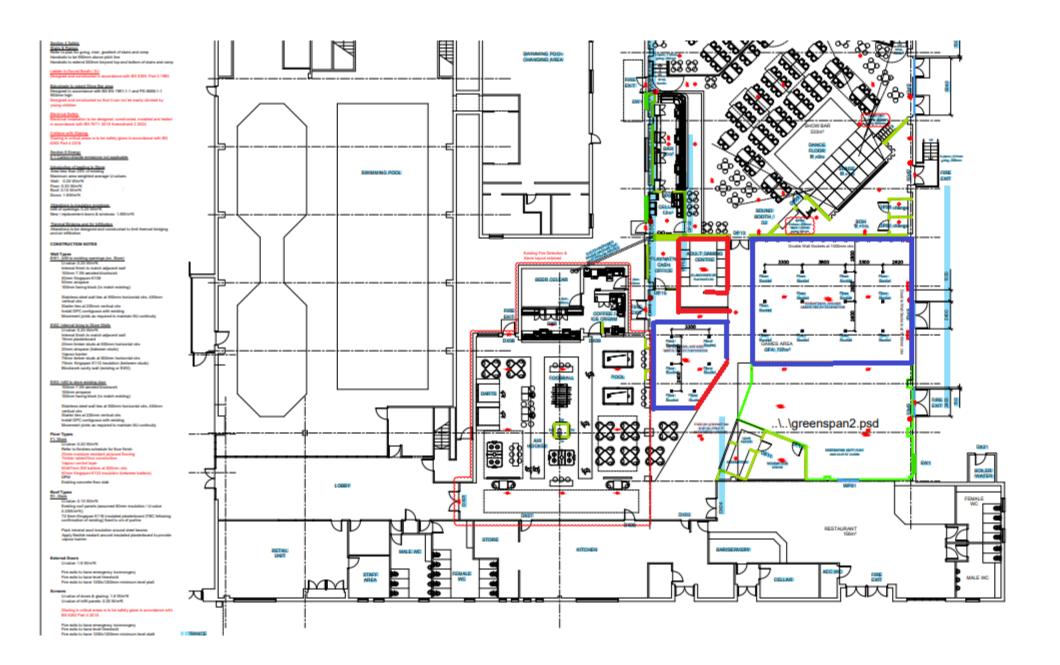
Argyll PA318RT

Signed

Date: 4th March 2013

Clerk to this will law





Rev: G - 06/02/2023 Playnation cash office relocated, AGC layout revised, BOH layout revised, Sports Bar staff areas revised. Darts area revised.

Rev: F - 02/02/2023 Notes amended for Building Warrant, fire detection and alarms added, emergency lighting added, AGC layout revised, floor & wall sockets added

Rev: E - 24/01/2023 Door DP16 added to Sound Booth / DJ

Rev: D - 20/01/2023 CB Arcade fire exit doors revised, playnation cash office relocated, showbar equipment layout added, Greenspan tree omitted, number of AGC machines reduced.

Rev: C - 10/01/2023 CB Layout changes within games, showbar and sports bar areas.

Rev: B - 20/12/2022 BUILDING WARRANT ISSUE

Notes added for Building Warrant application. Rev: A - 19/12/2022

Stage revised, gates added to Show Bar raised area following client comments.

REVISIONS

## WARRANT

COVE COMMUNITIES HUNTER'S QUAY MAIN BUILDING GROUND FLOOR PLAN AS PROPOSED

6058: L(0)06

McCAFFERTY HOUSE, 3/2 99 RIGHILL RD.

6058: L(0)06		REV: G
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ICALI 1:125	DATE	Dec 2022
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# Agenda Item 7a

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AR2584"Elena Morozowa	AR2583"Claire Michelle Chapman	AR2582"Michael John Campbell	AR2580"John David Charles Horne	AR2578"Mhairi MacIntyre	AR2577"Elaine Polanski	AR2576"Hamish Gilmour Steele Isaac	AR2574"Adam Christian Rose	AR2573"Siobhan Cameron	AR2572"Ann Gordon	AR2571"Malgorzata Wysocka	AR2570"Amanda Devlin	AR2567"Sarah Kemp	AR2566"Lindy A MacLellan	AR2564"Benjamin Zdenek Kubert	AR2563"Krisha Denise Kubert	AR2561"Andrew Duncan	AR2560"Mary Stirling	AR2557"Laura Meek	AR2556"Joanne Braid	AR2555"Janie Markwick	AR2554"Emma Campbell	AR2553"Irene Jean Campbell Nelson	AR2552"Alan Crichton	AR2551"Gillian Brodrick	AR2550"Shannon Marie MacKenzie	AR2549"Angela Jean Findlay	AR2548"Martine Marylise Georgette Nouet	AR2547"Greig Robert Flaws	AR2546"Rhona McSporran	AR2545"Robert Judge	AR2544"Katrina Ann Paterson	Licence No. and Name
06/12/2017	06/12/2017	06/12/2017	06/12/2017	04/12/2017	04/12/2017	04/12/2017	23/11/2017	23/11/2017	14/11/2017	14/11/2017	14/11/2017	14/11/2017	14/11/2017	09/11/2017	09/11/2017	31/10/2017	03/11/2017	12/10/2017	26/10/2017	03/11/2017	26/10/2017	12/10/2017	12/10/2017	12/10/2017	12/10/2017	12/10/2017	12/10/2017	05/10/2017	05/10/2017	05/10/2017	05/10/2017	Date Granted Train
05/12/2022	05/12/2022 "AR/261"R.S. McColl	05/12/2022	05/12/2022 "AR/173"Royal Hotel	03/12/2022 "AR782"Argyll Square Convenience Store	03/12/2022	03/12/2022	22/11/2022	22/11/2022	13/11/2022	13/11/2022	13/11/2022 "AR/299"Hughes Bar (formerly The Crown)	13/11/2022	13/11/2022	08/11/2022	08/11/2022	30/10/2022	02/11/2022	11/10/2022	25/10/2022	02/11/2022	25/10/2022	11/10/2022	11/10/2022	11/10/2022	11/10/2022	11/10/2022	11/10/2022	04/10/2022	04/10/2022	04/10/2022	04/10/2022	Training Due DPM Status



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Cive 200 Section Housings Stillbach	AR2596"Stephen Thomas Simpson	AR2595"Jayne Mary Graham	AR2594"Patrick Dalgety	AR2593"Karren Sara MacLachlan	AR2592"Jane Murray	AR2591"John McDiarmid	AR2589"Eduardo Albero	AR2588"Andrea MacLeod	AR2587"Lee Fish	AR2586"James Robert MacDonald	AR2585"Alexandra Jordan
13/12/201/	19/12/2017	19/12/2017	19/12/2017	19/12/2017	19/12/2017	19/12/2017	13/12/2017	13/12/2017	13/12/2017	19/12/2017	19/12/2017
10/12/2022	10/12/2022	18/12/2022	18/12/2022	18/12/2022	18/12/2022	18/12/2022	12/12/2022	12/12/2022 "AR/311"Rowantree Hotel	12/12/2022	18/12/2022	18/12/2022 "AR/372"Connel Village Store

# Agenda Item 7b

Shillin Dayter 1	AR1587 Laura Park 5 Ardmh	Licence Nc Name Address
	Ardmhor Road	
Dunollie	Kirn	Address
Oban	Dunoon	Address
PA34 5AL	PA23 8FD	Address
25/01/2013	17/01/2013	Date Granted
3 25/01/2023	3 17/01/2023	Renewal Date

