



Raymond Park, Licensing Standards Officer advised that the Club was a long established premises and had been operating under occasional licences for some time. Mr Park said that the original grant application had been converted to a provisional licence as a water filtration system required to be installed before the section 50 certificate could be issued by Environmental Health.

Jan Brown asked Mr Devine when the premises would be opened in the winter. Mr Devine said that they held winter Wednesdays once a month for the older members which included beetle drives and bingo. Jan Brown also enquired about the weekends and Mr Devine stated that they would only open for occasions/events on Saturday and Sundays. Jan Brown asked where the alcohol would be sold from and stored. Mr Devine advised that it would be a pop-up bar within the Club which was indicated as 2 black dots on the layout plan and the alcohol would be stored in a locked cupboard in the kitchen.

The Chair moved to grant the application as applied for.

With no-one else being otherwise minded, this became the decision of the Board.

(c) **Mansefield House and the Gallery, Shore Road, Arrochar, G83 7AG**

Joanna Millar, Solicitor, Glasgow attended on behalf of the applicant, Fiona Campbell, who was also in attendance. Ms Millar advised that this was a ground breaking application and possibly the first of its kind in Scotland.

Ms Millar referred to the objection which had been received from the Loch Lomond and the Trossachs Planning Authority in respect of the Gallery and, in view of this, she wished to withdraw this aspect of the application for now. The application therefore currently to be considered related to the accommodation only. Ms Millar explained that the premises had been operating as a short term let for 20 years but Ms Campbell was seeking to include the offer of alcohol which would mean that a premises licence would be more appropriate than a short term let licence. She advised that welcome packs would include alcohol which would set it apart from other holiday lets and also the applicant wished to be able to provide a shopping service (for which there would be a charge) for customers, due to the location, which may include alcohol. Ms Millar added that her client may wish to hold tastings and cocktail making masterclasses and provide alcohol for certain occasions/events in the future. She said that her client would be happy for a condition to be imposed stating that these would be for residents only.

Raymond Park, Licensing Standards Officer advised that discussions had taken place over a considerable period of time with Ms Millar and Ms Campbell but he continued to have concerns over the lack of, or no, supervision. Mr Park said that deliveries could be arranged from a local shop and occasional licences could be sought for events such as tastings/cocktail making. He stated that he could not understand the need

for a premises licence.

Mark Irvine asked Sergeant David Holmes, Police Scotland if he had any comments to make. Sergeant Holmes referred to the police representation letter (Appendix 1). Mark Irvine referred to Mr Park's suggestions. Susan Mair, Depute Clerk asked Ms Millar if she wanted to respond to the comments made by Mr Park.

Ms Millar agreed that a premises licence would not be required if a bottle was being left for a one-off occasion but if it was to be a permanent arrangement, then a licence is required. Ms Millar referred to the lack of supervision and thought, as it would be small amounts of alcohol, there would not be any issues with this. She stated that occasional licences would not work due to the timescales.

Jan Brown referred to the core licensing hours and asked if customers would be able to buy their own alcohol and if the cocktail making classes would only be offered to residents. Ms Millar confirmed that her client would not be selling alcohol from the premises and the masterclasses would purely be an addition to the holiday let. The vast majority of residents are families staying in luxury accommodation and her client would not have any issues with alcohol being taken in to existing licensed premises.

Amanda Hampsey wondered if there would be any restrictions on the amount of alcohol customers could order. Ms Millar replied yes and her client would be happy to include a condition on the premises licence regarding this.

Paul Kennedy stated that he was of the view that the application was not appropriate for this type of licence. He referred to the core hours of 11.00am to 11.00pm and asked if residents would not be allowed to drink outwith these times and wondered if the business could be dealt with in another manner. Ms Millar advised that if the application was refused then her client would not be able to include a bottle of wine for their residents and that no alternative was available for short term let accommodation, which in itself, entailed a lot of requirements.

Douglas Philand asked for clarification regarding the importance of alcohol and if the application was merely for special events. Ms Millar said that the market was so competitive and although self-catering provided everything, her client was seeking to offer a bit extra for customers.

Mark Irvine moved that the Board adjourn and this was agreed.

Paul Kennedy leaves the meeting.

On resuming, Mark Irvine moved that the application be continued to the November meeting for further clarification on certain aspects of the application. He said that a more detailed operating plan was required. As the application was ground breaking, the Board wished to ensure that they had all the relevant information before them prior to making a decision.

The Board agreed to continue the application to the November meeting.

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

### **(a) Luss Estates Shop, Pier Road, Luss, G83 8NZ**

Sarah Gordon, retail manager attended and spoke to the terms of the application which sought to: change the licensed hours for both on-sales and off-sales; remove restaurant and bar meals as activities on the licence; change the wording at Question 5(f) at any other activities and amend the children and young persons' conditions. Ms Gordon advised that the variation was to allow the premises to revert back to trading solely as a retail shop with gifts and off-sales.

Raymond Park, Licensing Standards Officer advised that the alcohol display area had been reduced and that he had no issues with the application.

The Chair moved to grant the application as applied for.

With no-one else being otherwise minded, this became the decision of the Board.

### **(b) Manor House Hotel, Gallanach Road, Oban, PA34 4LS**

Sandy Murray, Solicitor, Oban attended and spoke to the terms of the application which sought to: amend the commencement time for off-sales hours to 11.00am; delete the seasonal variation; add recorded music and outdoor drinking as activities on the licence; amend the conditions for children and young persons and change the layout plan to show the outdoor drinking area. Mr Murray advised that, following a review by the licensing standards officer, some matters required to be updated in respect of the premises licence such as the outdoor area was not included and the seasonal variation was no longer relevant. He advised that the variation sought to include the whole of the garden area.

Raymond Park, Licensing Standards Officer said that the layout plan was more applicable as the location plan for the outdoor patio area, which was now clearly delineated.

The Chair moved to grant the application as applied for.

With no-one else being otherwise minded, this became the decision of the Board.

### **(c) Oban Sailing Club, Dungallan Park, Oban, PA34 4PD**

Hannah Grier, Convener attended and spoke to the terms of the application which sought to: add an outdoor drinking area to the licence; change the layout plan to show the outdoor area and amend the terminal hour for the outdoor areas to 10.00pm for adults and 8.00pm for children and young persons. Ms Grier said that it would create more options for

customers especially in the summer months when events were being held. She stated that the area would be well managed and all staff had received the relevant training.

Raymond Park, Licensing Standards Officer advised that the outdoor drinking area was delineated and the applicant was happy with the Board's policy for external areas. He had no issues with the application.

The Chair moved to grant the application as applied for.

With no-one else being otherwise minded, this became the decision of the Board.

**(d) The Creggans, Princes Terrace, Shore Road, Kilcreggan, G84 0JH**

Mark Irvine, having declared an interest, left the meeting.

The applicant, Derek Fowlis attended and spoke to the terms of the application which sought to: allow the premises to open before core hours to cater for breakfasts but no alcohol will be served; amend the children and young persons' conditions and changes to the layout plan to reflect the removal of the designated children's area, pool table and gaming machine. Mr Fowlis said he had been running the premises for 9 years and now wanted to concentrate on food and create a more family friendly establishment rather than a public bar.

Raymond Park, Licensing Standards Officer advised that this was a revamp of a public bar to a restaurant and that the pool table and jukebox had been removed. Mr Park stated he had no issues with the application.

The Chair moved to grant the application as applied for.

With no-one else being otherwise minded, this became the decision of the Board.

Mark Irvine returns to the meeting.

**(e) Tower Digital Arts Centre, 81 Sinclair Street, Helensburgh, G84 8TR**

Donna Hicks, premises manager attended and spoke to the terms of the application which sought to: add Cinema/ Screen 1 and the Submarine Centre to the premises licence; increase the capacity from 330 persons to 510 persons and amend the wording of the terms and conditions for children and young persons. Ms Hicks advised that she had taken over as premises manager in March this year and wanted to include screen 1 within the licence which already encompassed screens 2 and 3 and also the submarine centre which operates as a museum 6 days per week. She stated that the fire alarm system in screen 1 had not yet been approved by the Fire Service and therefore she was looking for the submarine centre to be dealt with today and asked if the part of the application relating to screen 1 could be continued to the meeting in November. She added that the submarine centre was used for events, functions and conferences but they required to look to other sources of income to allow

events to be held in this area.

Raymond Park, Licensing Standards Officer explained that he had been involved with the premises for some time as it was a long term project which is nearing completion. Mr Park agreed with Ms Hicks' proposal to consider the submarine centre today and continue the matter for screen 1. He advised that the premises were run by 2 separate charities.

Mark Irvine knew the facility well and said it was a vital part of the community. He was aware that the premises were operated by 2 separate charities and asked if it was acceptable to grant one licence where there were two separate legal entities.

Mr Park said that both charities work together within, technically, the same building which has an adjoining corridor and joint toilet facilities.

Ms Hicks confirmed this and advised that she was looking to bring the 2 charities together as one entity but had not reached this stage as yet. Mr Park wondered what the timescale would be for this collaboration. Ms Hicks advised that it was a long process and she was in discussions with various groups. She was not in a position to give an exact timescale as to when this might be completed.

Susan Mair, Depute Clerk advised that occasional licences were an option in the interim for the submarine centre until clarification on the legal position was received. Once this matter is dealt with, a major variation could be submitted to include the centre.

The Chair asked Ms Hicks when she was planning to utilise the licence. She replied as soon as possible and then she could start advertising to generate some income.

The Chair asked Ms Mair if it was competent to continue the application to allow further time to deal with the fire alarm system and the legal matters. Ms Mair replied that it was competent and occasional licences could be submitted in the meantime. The Chair referred to the timescale for submitting occasional licences and wondered whether, under the current circumstances, there could be some leeway on the 35 day period. Ms Mair advised that this would be taken into account as an interim measure.

The Chair moved to continue the application to the November Board meeting

With no-one else being otherwise minded, this became the decision of the Board.

## **6. REVIEW OF PERSONAL LICENCES**

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

The list of personal licence holders (Appendix 2) who had not undertaken the required refresher training within the prescribed timescale was noted and the Board agreed to revoke their personal licence.

(b) **Revocation of Personal Licences where licence holders have not applied to renew their licence.**

The list of personal licence holders (Appendix 3) who had not submitted an application to renew their licence was noted and the Board agreed to revoke their licence.

## **7. ANY OTHER BUSINESS**

(a) **Dates of Licensing Board Meetings 2024.**

The dates of the Licensing Board Meetings for 2024 were agreed

(b) **Festive Hours Policy 2023.**

The Festive Policy 2023 was approved by the Board.

(c) **Report on Oban MOD 2024**

The Board agreed to initiate a consultation exercise, the results of which, will be reported at the November Board meeting.

## **8. DATE OF NEXT MEETING**

The next meeting of the Licensing Board will be held by Skype on Tuesday 14<sup>th</sup> November 2023 at 11.00am.