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THE ARGYLL AND BUTE LICENSING BOARD

Tel. (01546) 604128

Kilmory Lochgilphead

17 April 2019

Dear Sir/Madam

LICENSING (SCOTLAND) ACT 2005

A meeting of the **ARGYLL AND BUTE LICENSING BOARD** will be held in the **COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD** on **TUESDAY, 23 APRIL 2019** at **11:00 AM**, which you are requested to attend.

Yours faithfully

CHARLES REPPKE

Clerk to the Board

To: All Members of the Licensing Board

BUSINESS

- 1. APOLOGIES
- 2. DECLARATIONS OF INTEREST
- 3. APPROVAL OF MINUTES OF LICENSING BOARD MEETING OF 26TH FEBRUARY 2019 (Pages 7 - 16)
- 4. APPLICATIONS FOR GRANT OF A PREMISES LICENCE
 - (a) The Barcaldine Castle, Benderloch, Oban, PA37 1SA (Pages 17 24)

Summary Sheet attached – Item 4a

5. APPLICATION FOR GRANT OF A PROVISIONAL PREMISES LICENCE

(a) The Hill House, Upper Colquhoun Street, Helensburgh, G84 9AJ (Pages 25 - 36)

Summary Sheet attached – Item 5a

6. APPLICATION FOR MAJOR VARIATION OF A PREMISES LICENCE

(a) Gelatoburger (formerly Kitchen Garden), 14 George Street, Oban, PA34

5SB (Pages 37 - 42)

The applicant wishes to vary the licence as follows:-

1) To add the provision to serve take away meals, snacks and nonalcoholic beverages.

2) Minor changes to the layout plans which include change to the public toilet layout, change to kitchen layout, removal of cellar and introduction of staff room on first floor.

3) To be open beyond core hours for the service of take away food and soft drinks when Oban Live is on.

4) Change to the description of the premises.

Summary Sheet attached – Item 6a.

(b) Jura Hotel, Craighouse, Isle of Jura, PA60 7XU (Pages 43 - 52)

The applicant wishes to vary the licence as follows:-

1) To add an outside eating area to the front of the hotel.

2) To allow children and young persons to be in the bar without consuming a meal.

3 To extend the terminal hour for children and young persons from 9.30pm to 10.00pm.

4) To add films as an activity on the licence.

5) To amend the wording at question 5(f) any other activities.

Summary Sheet attached – Item 6b

(c) Port Charlotte Store, Main Street, Port Charlotte, Isle of Islay, PA48 7TX (Pages 53 - 56)

The applicants wish to vary the licence as follows:-

1) To extend on sales terminal hour to 8pm Monday to Saturday and 6pm on a Sunday.

- 2) Change of layout plan to add a chiller cabinet.
- 3) Increase in off-sales capacity.
- 4) To amend the seasonal variation

Summary Sheet attached – Item 6c.

(d) The Clyde Bar, 62-64 West Clyde Street, Helensburgh, G84 8AX (Pages 57 - 60)

The applicant wishes to vary the licence as follows:-

1) To add children and young persons conditions to the licence. They are not allowed on the premises at present.

Summary Sheet attached – Item 6d.

(e) The Creggans, Shore Road, Kilcreggan, G84 0JH (Pages 61 - 68)

The applicants wish to vary the premises licence as follows:-1) To allow children and young persons to remain on the premises until9.00pm or until the terminal hour if attending an event.2) To extend the terminal hour for the outside area to 10pm. At present the terminal hour is 8pm.

Summary Sheet attached – Item 6e.

(f) Tigh na Uruisg, Upper Kilchattan, Isle of Colonsay, PA61 7YR (Pages 69 - 76)

The applicants wish to vary the premises licence as follows:-

1) To amend the wording at 5(f) any other activities.

2) To add children and young person's conditions. They are not currently permitted on the premises.

3) To amend the description of the premises.

4) Change of layout plan. Inclusion of distillery buildings in the licensed area.

Summary Sheet attached – Item 6f.

7. APPLICATION FOR MAJOR VARIATION OF A PREMISES LICENCE (CONTINUED FROM A PREVIOUS MEETING)

(a) The Burnside Bar, 1 Burnside Street, Campbeltown, PA28 6JE (Pages 77 - 80)

The applicant wishes to vary the licence as follows:-

- 1) To add an outdoor drinking area.
- 2) Change of layout plan to reflect this.

This is an application which was first considered at the Board Meeting on 24th June 2014. It was continued until such time as the area at Burnside Square was pedestrianised. The applicants have advised that this is to happen in the near future and they would therefore like their application to be reconsidered to allow an outside area to be added.

Summary Sheet attached – Item 7a

8. APPLICATION FOR GRANT OF A PERSONAL LICENCE (CONTINUED FROM A PREVIOUS MEETING)

(a) Danielle MacIntyre, 10c Alma Crescent, Oban, PA34 4LT (Pages 81 - 88)

The applicant did not appear at the November or February meetings and the application has been further continued to give her one more chance to attend. She has indicated she will be present on this occasion. Attached are copies of the Police Scotland letter dated 23rd October 2018 together with letters from us requesting her attendance.

9. APPLICATION FOR REVIEW OF A PERSONAL LICENCE

(a) Mark Tyson, 28 Craigendoran Avenue, Helensburgh, G84 7AZ (Pages 89 - 90)

A copy of the letter to the licence holder together with letter from Police Scotland dated 27th March 2019 is attached.

10. APPLICATION FOR REVIEW OF A PERSONAL LICENCE (CONTINUED FROM PREVIOUS MEETING)

(a) Michael Porter, Tigh Buidhe, Croft Road, Oban, PA34 5JN (Pages 91 - 94)

The applicant did not appear at the February meeting and the application has been continued to request he attend at this meeting. Letter from Police Scotland dated 14th January 2019 attached together with our letters to the applicant.

(b) Marko Curic, Flat 2/1, 26 Raploch Avenue, Glasgow, G14 9FF (Pages 95 - 100)

The applicant did not appear at the February meeting as he was out of the country and the application has been continued to request he attend at this meeting. Letter from Police Scotland dated 7th February 2019 attached together with our letters to the applicant and emails from the applicant and his employer confirming he was out of the country.

(c) Richard MacDougall, 10 Corran Brae, Oban, PA34 5AL (Pages 101 - 104)

The applicant did not appear at the February meeting and the application has been continued to request he attend at this meeting. We have been notified that he had changed address but has advised he will be attending at this meeting. Letter from Police Scotland dated 7th February 2019 attached together with our letters to the applicant.

11. REVIEW OF PERSONAL LICENCES (Pages 105 - 106)

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

12. CONSIDERATION OF A REVIEW OF A PREMISES LICENCE

(a) The Bute Piper, 23 Marine Place, Rothesay, Isle of Bute, PA20 0LF (Pages 107 - 108)

A copy of the letter from Police Scotland dated 13th March is attached.

13. APPLICATION FOR REVIEW OF A PREMISES LICENCE

(a) The Logie Baird, 8 James Street, Helensburgh, G84 8AS (Pages 109 - 142)

A copy of the letter from Police Scotland dated 7th February 2019 is attached together with the list of incidents, LSO's Report on the Review

and our letter to the licence holder.

14. REVIEW OF PREMISES LICENCES - NON-PAYMENT OF ANNUAL FEES

(a) Cowal Golf Club, 20-40 Ardenslate Road, Kirn, Dunoon, PA23 8LT (Pages 143 - 144)

Cowal Golf Club had asked for further time to pay and the decision was made to continue the matter to the April Licensing Board. Attached is a copy of the letter from Cowal Golf Club requesting this.

15. ANY OTHER BUSINESS

16. DATE OF NEXT MEETING

The next meeting of the Licensing Board will be held on Tuesday 25th June 2019 at 11.00am within the Council Chamber, Kilmory, Lochgilphead, PA31 8RT

Argyll and Bute Licensing Board

Councillor Gordon Blair Councillor Robin Currie Councillor Audrey Forrest Councillor Roderick McCuish Councillor Sandy Taylor Councillor Rory Colville Councillor Lorna Douglas Councillor David Kinniburgh Councillor Jean Moffat Councillor Richard Trail

Contact: Margaret MacLean Tel: 01546 604128

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Agenda Item 3

MINUTES of MEETING of ARGYLL AND BUTE LICENSING BOARD held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD on TUESDAY, 26 FEBRUARY 2019

Present:

David Kinniburgh (Chair) Rory Colville Lorna Douglas Roderick McCuish Jean Moffat Sandy Taylor

Attending:

Susan Mair, Depute Clerk to the Board Margaret MacLean, Admin Assistant Kelly Coffield, Licensing Assistant Eric Dearie, Licensing Standards Officer Raymond Park, Licensing Standards Officer Inspector David Quinn, Police Scotland

1. APOLOGIES

Apologies were intimated from Richard Trail, Robin Currie, Audrey Forrest and Gordon Blair.

2. DECLARATIONS OF INTEREST

Rory Colville declared an interest for items 5(a) and 5(d).

3. APPROVAL OF MINUTES OF LICENSING BOARD MEETING OF 20TH NOVEMBER 2018

The Minutes of the Meeting held on 20th November 2018 were submitted and approved.

4. APPLICATION FOR GRANT OF A PREMISES LICENCE

(a) Taynuilt Hotel, Taynuilt, Oban, PA35 1JN

Sandy Murray, Solicitor, Oban appeared on behalf of the applicant, Calum MacLachlainn, who was also present. Mr Murray explained that the premises had been licensed for many years and the premises licence was surrendered in 2017 but his client wanted to restore the premises to a hotel. Mr Murray noted that a food hygiene section 50 certificate was not yet available as the kitchen still required some work. He said that the small outside area, which was granted as part of the previous licence, would also be included. Mr Murray stated that children aged 15 years and under would be accompanied in the lounge by an adult until 9.00pm.

Eric Dearie, Licensing Standards Officer referred to his report (Appendix 1) and suggested the following statement be included at section 5 of the operating plan regarding activities taking place out with core hours: 'Breakfast is served from 8.00am and conferences and meetings can start from 9.00am'. Mr Dearie also suggested the standard wording for the outside area which was 8.00pm for children and young persons and 10.00pm for adults.

The Chair moved to grant the application as applied for, subject to the section 50 certificate in respect of food hygiene being received and as per the Licensing Standards Officer's report.

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

5. APPLICATION FOR MAJOR VARIATION OF PREMISES LICENCE

Rory Colville left the meeting.

(a) Caol IIa Distillery, Port Askaig, Isle of Islay, PA46 7RL

David Hossack, Solicitor, Edinburgh appeared on behalf of the applicant. The premises manager, Leigh Aitken, was also present. Mr Hossack referred to the application which sought to include on-sales from 10.00am to 11.00pm, Monday to Sunday; to extend the off-sales terminal hour to 10.00pm; to amend the seasonal variation; to include various activities and to amend the wording at section 5 under 'any other activities'; to insert wording relating to children and young persons; to add on-sales capacity and to increase the off-sales capacity; change the layout and the description of the premises. Mr Hossack advised that the premises were a major tourist attraction holding special events such as the whisky festival. He explained that the premises would offer a high end range of whiskies hence the requirement for on-sales. He explained that the external area would be used on occasions for events and his client was looking for a terminal hour of 10.00pm for children and young persons but they would require to be accompanied by an adult. He added that the increased capacity of 1000 would only be applicable when events were taking place.

Eric Dearie, Licensing Standards Officer referred to his report regarding the children and young persons' terms (Appendix 1) and suggested that the revised wording of 'adult aged 18 years or over' be considered. He also suggested the standard terminal hour for the external drinking area of 10.00pm for adults and 8.00pm for children and young persons.

The Chair asked if the capacity of 1000 included both the inside and the external area and wondered how this would be monitored. Mr Hossack said this figure was the extra amount of patrons who would be attending events and advised that each event would be carefully controlled, ticketed and monitored by stewards.

Jean Moffat had concerns that a terminal hour of 10.00pm for the external area regarding children and young persons would set a precedent but Mr Hossack confirmed that this had been previously granted for Lagavullin Distillery.

The Chair referred to the seasonal variation and enquired about the policy on weather conditions. Mr Hossack said that when the weather is bad there would be no prospect of people getting to the island therefore no customer demand but the Chair thought that people would prefer indoor activities on wet and windy days. Leigh Aitken advised that the premises would only close occasionally if the weather was extreme. The Chair asked Ms Aitken if this was more for customer safety and she replied yes.

The Chair moved to grant the application as applied for with a terminal hour of 10.00pm for the external area for adults and children and young persons.

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

Rory Colville returned to the meeting.

(b) Food from Argyll at the Pier, Oban Ferry Terminal, Oban, PA34 4BD

Thomas Johnstone and Alison MacKay, directors of the Company appeared and spoke to the terms of the application which sought to add on-sales, Monday to Saturday 11.00am to 6.00pm and Sunday 12.00pm to 6.00pm; to change the layout of the premises to include an additional alcohol display area and to include a number of activities on the licence. Ms MacKay advised that the extra display area was a small fridge with wine and beers and the on-sales hours would be the existing opening hours for the café.

Eric Dearie, Licensing Standards Officer referred to his report (Appendix 1) and said that the description of the premises required to be amended due to the addition of the on-sales.

Roderick McCuish welcomed the application and asked if there was room for live performances within the premises. Ms MacKay said this was unlikely but provided an option for hired events.

The Chair moved to grant the application as applied for with the amended wording as per the Licensing Standards Officer's report.

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

(c) Kitchen Garden, 14 George Street, Oban, PA34 5SB

Sandy Murray, Solicitor, Oban appeared on behalf of the applicant, Calum MacLachlainn, who was also present. Mr Murray spoke to the terms of the application which sought to extend the on sales terminal hour from 6.00pm to 12 Midnight and the off sales terminal hour from 6.00pm to

10.00pm; amend the seasonal variation; to add various activities on the licence; amend the children and young persons' terms; to change the layout plan; to increase the capacity from 32 to 100 and change the name of the premises to 'Gelatoburger'. Mr Murray explained that there had been substantial alterations to the premises to convert them to a diner/restaurant and that they would be a useful addition to the town. He said that children and young persons were to be permitted at any time but after 8.00pm, children aged 14 and under would require to be accompanied by an adult.

Eric Dearie, Licensing Standards Officer reiterated that the proposed children and young persons' terms were out with the Board's Policy which stated a terminal hour of 10.00pm for restaurants.

The Chair enquired about live performances and Mr Murray advised that this would only be required for certain events like the Mod and therefore it would not be taking place on a daily basis.

Rory Colville advised that 15 years and under was the usual age range for children and Mr Murray confirmed he was happy to amend this accordingly.

Susan Mair, Depute Clerk clarified that children from birth to 15 years would usually be permitted until 8.00pm when accompanied by an adult and young persons, unaccompanied until 10.00pm. Mr Murray accepted this.

The Chair moved to grant the application as per the changes to the children and young persons' terms.

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

Rory Colville left the meeting.

(d) Lagavulin Distillery, Port Ellen, Isle of Islay, PA42 7DZ

David Hossack, Solicitor, Edinburgh appeared on behalf of the applicant. Leigh Aitken, the premises manager for Caol IIa Distillery was also present. Mr Hossack spoke to the terms of the application which sought to include bar meals; to amend the capacity to reflect additional external areas and upstairs in the Malt Mill and to cover special events and festivals; to add wording at section 5 to cover use at Islay Festivals and to change the layout plan.

Jean Moffat noted that restaurant facilities were already listed on the operating plan and asked why bar meals required to be included as a further activity. Mr Hossack explained that there was no clear definition between the two, therefore it provided more flexibility for his client.

Susan Mair, Depute Clerk asked if the catering was carried out within the premises or brought in from an external supplier. Leigh Aitken advised

that the food was prepared off site and then arranged 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.

Rory Colville returned to the meeting.

(e) Lidl Store, Soroba Road, Oban, Argyll, PA34 4HY

Andrew Hunter, Solicitor, Glasgow appeared on behalf of the applicant and spoke to the terms of the application which sought to increase the capacity and amend the layout plan due to refurbishment.

Eric Dearie, Licensing Standards Officer said that the increase was only 4.64%.

Having considered the foregoing, the Board agreed to grant the application as applied for.

(f) Premier Inn, 56 Shore Street, Oban, PA34 4NT

Chris Grunert appeared on behalf of the applicant together with 2 site managers from east coast premises. Mr Grunert spoke to the terms of the application which sought to add off-sales and change the layout plan. He explained that the off sales was predominantly required for customers taking away unfinished bottles of wine and a counter servery within the food and beverage area had been introduced.

Roderick McCuish welcomed 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.

(g) Whisky Mac's, 4 Shore Street, Campbeltown, PA28 6BS

It was noted that the applicant, Mary Wood, was not required to be present.

Eric Dearie, Licensing Standards Officer explained that the application sought to add takeaway meals and pizzas as additional activities between 10.00am to 9.00pm daily.

Having considered the foregoing, the Board agreed to grant the application as applied for.

6. APPLICATION FOR GRANT OF A PERSONAL LICENCE (CONTINUED FROM PREVIOUS MEETING)

(a) Margaret Anne MacNab, 4 Tarsgeir, Port Ellen, Isle of Islay, PA42 7BT

It was noted that the application had been withdrawn.

(b) Danielle MacIntyre, 10c Alma Crescent, Oban, PA34 4LT

Susan Mair, Depute Clerk advised that the applicant was not present and had requested that the application be re-scheduled to a later Board meeting. Susan Mair added that the application had been continued from the previous Board meeting in November.

Roderick McCuish said he would be happy to continue the application but wanted it determined at the next Board meeting whether the applicant was present or not.

The Chair moved that the application be continued to the April Board Meeting and attendance would be required.

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

7. APPLICATION FOR REVIEW OF A PERSONAL LICENCE

(a) Michael Porter, Tigh Buidhe, Croft Road, Oban, PA34 5JN

It was noted that the licence holder was not present.

Inspector David Quinn, Police Scotland referred to his report (Appendix 2).

The Chair asked if there was just one matter to be concluded from the report. Inspector Quinn advised that the second matter was still pending.

Rory Colville expressed his disappointment at the lack of attendance and wanted to make it clear that Mr Porter should be present at the next Board meeting and if not, the matter would be considered in his absence.

The Chair agreed and moved that the application be continued to the April Board Meeting and attendance would be required.

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

(b) Marko Curic, Flat 2/1, 24 Kennoway Drive, Glasgow, G11 7TY

Susan Mair, Depute Clerk said that an email had been received from the licence holder advising that he would be out of the country at the time of

the Board Meeting.

Inspector David Quinn, Police Scotland stated that it was up to the Board Members on how they wished to proceed.

Jean Moffat thought that the matter be dealt with in the same way as the previous item.

The Chair said the Board would have no other alternative than to continue the matter to the next Board Meeting.

Rory Colville thought that there would be little point requesting Mr Curic to appear at the April Board Meeting if the case was not concluded.

The Chair advised that attendance be requested at the next meeting but Jean Moffat queried this and asked if the matter could appear sooner in Court due to the seriousness of the offence. Inspector Quinn said it might be a possibility but he would inform the Board of any updates.

Sandy Taylor asked if, the Procurator Fiscal chose not to proceed with the matter, would Police Scotland still be of the view that a review would be required. Inspector Quinn said this had happened in the past and it would be up to the Board to determine whether Mr Curic was a fit and proper person to hold a licence.

Susan Mair, Depute Clerk advised that due to the nature of the offence, the Board would require to be very careful on how to proceed with the matter.

The Chair suggested that the licence holder attend the next meeting to give the Board an opportunity to meet with him and hear his position regarding the matter.

Eric Dearie, Licensing Standards Officer confirmed that it was a requirement under the Licensing (Scotland) Act 2005 that the matter be placed before the Board.

The Chair moved that the matter be continued to the April Board Meeting and the licence holder would be required to attend.

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

(c) Richard MacDougall, 13 Nelson Road, Oban, PA34 4DQ

It was noted that the licence holder was not present.

Inspector David Quinn, Police Scotland said that it would be up to the Board on how to proceed with this.

The Chair advised that the case had been disposed of in Court but it was

not clear whether Mr MacDougall received the letter requesting attendance.

Eric Dearie, Licensing Standards Officer advised that Mr MacDougall owned Dunollie Stores in Oban and he would be happy to hand deliver the letter requesting appearance at the next meeting.

The Chair confirmed that the letter would be hand delivered by the Licensing Standards Officer and the matter would be continued to the April Meeting.

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

8. REVIEW OF PERSONAL LICENCES

The list of personal licence holders (Appendix 3) who had not undertaken the required refresher training within the prescribed timescale was noted and the Board agreed to revoke their personal licences.

9. CONSIDERATION OF A REVIEW OF A PREMISES LICENCE

(a) The Logie Baird, 8 James Street, Helensburgh, G84 8AS

The Chair advised that the Board required to consider whether there was sufficient evidence to hold a Review.

Rory Colville was surprised that the Board had not been informed earlier of the incidents.

Inspector David Quinn, Police Scotland explained that they had worked and supported the premises over a period of time and that there was some improvement but in the last 2 months there had been a dramatic decline, hence the reason for the request for a review of the premises licence (Appendix 4).

Susan Mair, Depute Clerk advised that the review would require to be held within the next 42 days. Ms Mair confirmed that the licence holder's solicitor had agreed to hold a preliminary review on Wednesday 20th March 2019 then continue the matter for a full review hearing to the April Board Meeting.

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

10. REVIEW OF PREMISES LICENCES - NON PAYMENT OF ANNUAL FEE

The Chair referred to the list of premises who had failed to make an annual fee payment (Appendix 5). Susan Mair, Depute Clerk advised that failure to pay the annual fee was a breach of a condition of their premises licence. With regard to Cowal Golf Club, she said that an email had been received requesting further time to pay as there was a potential purchase of the club in the offing which would be confirmed by the end of the week if this was going ahead. She therefore suggested that the matter be continued to the next Board Meeting for an update. Ms Mair advised that every effort had been made to contact the licence holder of the Hunter's Quay Hotel but to date no payment had been received. She also noted that the remaining premises were closed and no longer trading.

After considering the foregoing, the Board agreed to continue Cowal Golf Club to the April Board meeting and revoke the premises licences of the Hunter's Quay Hotel and the remaining closed premises.

11. ANY OTHER BUSINESS

(a) Equalities Outcomes (2019-2023)- report to follow

Susan Mair, Depute Clerk referred to the Report.

Rory Colville moved that the Report be approved.

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

12. DATE OF NEXT MEETING

The next meeting of the Licensing Board will be held on Tuesday 23rd April 2019 at 11.00am within the Council Chamber, Kilmory, Lochgilphead, PA31 8RT.

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Argyll and Bute Licensing Board

23rd April 2019

APPLICATION FOR GRANT OF A PREMISES LICENCE

NAME OF PREMISES: The Barcaldine Castle, Benderloch, Oban, PA37 1SA

APPLICANT: Abbie Baxter, The Black Castle Cottage, Benderloch, Oban, PA37 1SA

AGENT: N/A

DESCRIPTION OF PREMISES:

The premises is a 16th century castle set in its own grounds on the shores of Loch Creran near Barcaldine, comprising, over four floors, six letting rooms; two main event areas and outdoor drinking, and offering an exclusive retreat; bed and breakfast accommodation to guests, lunches and afternoon teas to the public, and bespoke wedding and events venue

	LICENSED HOURS APPLIED FOR	
	ON SALES	OFF SALES
Monday	12.00 to 22.00	N/A
Tuesday	12.00 to 22.00	N/A
Wednesday	12.00 to 22.00	N/A
Thursday	12.00 to 22.00	N/A
Friday	12.00 to 22.00	N/A
Saturday	12.00 to 22.00	N/A
Sunday	12.00 to 22.00	N/A
		·

SEASONAL VARIATIONS:- The business closes in November for one month and also in February for one month.

ACTIVITIES:- Accommodation; restaurant facilities; receptions including weddings, funerals etc; recorded music; live performances; dance facilities; outdoor drinking facilities.

CHILDREN AND YOUNG PERSONS CONDITIONS:-

TERMS - Children under 14 years not allowed in bed and breakfast accommodation. Children and young persons of all ages allowed access while accompanied by an adult aged 18 years or over until 6:00pm for lunch or afternoon tea and to 9:00pm when attending a wedding or other family event. AGES - Children and young persons of all ages (birth to 17 years).

TIMES - Wedding or other family event. Young persons (16 & 17 years) until 9:00pm generally. Outdoor drinking area until 9:00pm.

PARTS – All public parts of the premises.

CAPACITY OF PREMISES:- On Sales – 36 persons

LSO COMMENTS: See attached Report

POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: NONE

POINTS FOR CONSIDERATION:-

LSO REPORT

THE BARCALDINE CASTLE, BENDERLOCH, PA37 1SA

LSO

The premises is a 16th century castle providing bed & breakfast accommodation to guests; lunches and afternoon teas to the public, and a wedding/events venue and is located some 9 miles north of Oban.

The premises website can be viewed here - https://www.barcaldinecastle.co.uk/

The applicant has liaised with the LSO and there are no concerns with this application.

Seasonal Variation

The applicant's Seasonal variation is at odds with the Board's policy -

Applicant's

"The business closes in November for one month and also in February for one month."

Board's 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."

The seasonal variation requested is to allow maintenance of the premises during winter downtime and vacation for the applicant and her husband who are the only permanent workers at the premises. In the circumstances the Board may wish to look favourably on this proposal.

Activities Outwith Core Licensing Hours The applicant has requested –

"Restaurant facilities to provide for wedding breakfasts which may include on occasion bucks fizz and whisky breakfasts."

The Board has granted similar wording to another premises specialising in wedding receptions/celebrations and it is recommended that this request be looked upon favourably.

Outdoor Drinking

In keeping with Board policy, the applicant requests a 10:00pm curfew for adults aged 18 years or over. In relation to children and young person access, the applicant has asked that children and young person access to the outdoor area be curtailed at 9:00pm and not the Board's usual policy hour of 8:00pm. The premises is situated in its own grounds with no near neighbours and therefore there is no likelihood of noise nuisance.

Children ans Young Persons Access

The LSO assisted the applicant in drawing up the following which is included in the proposed operating plan and is keeping with Board policy -

Terms

Children under 14 years not allowed in bed and breakfast accommodation. Children and young persons of all ages allowed access while accompanied by an adult aged 18 years or over until 6:00pm for lunch or afternoon tea and to 9:00pm when attending a wedding or other family event.

Ages

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

Times

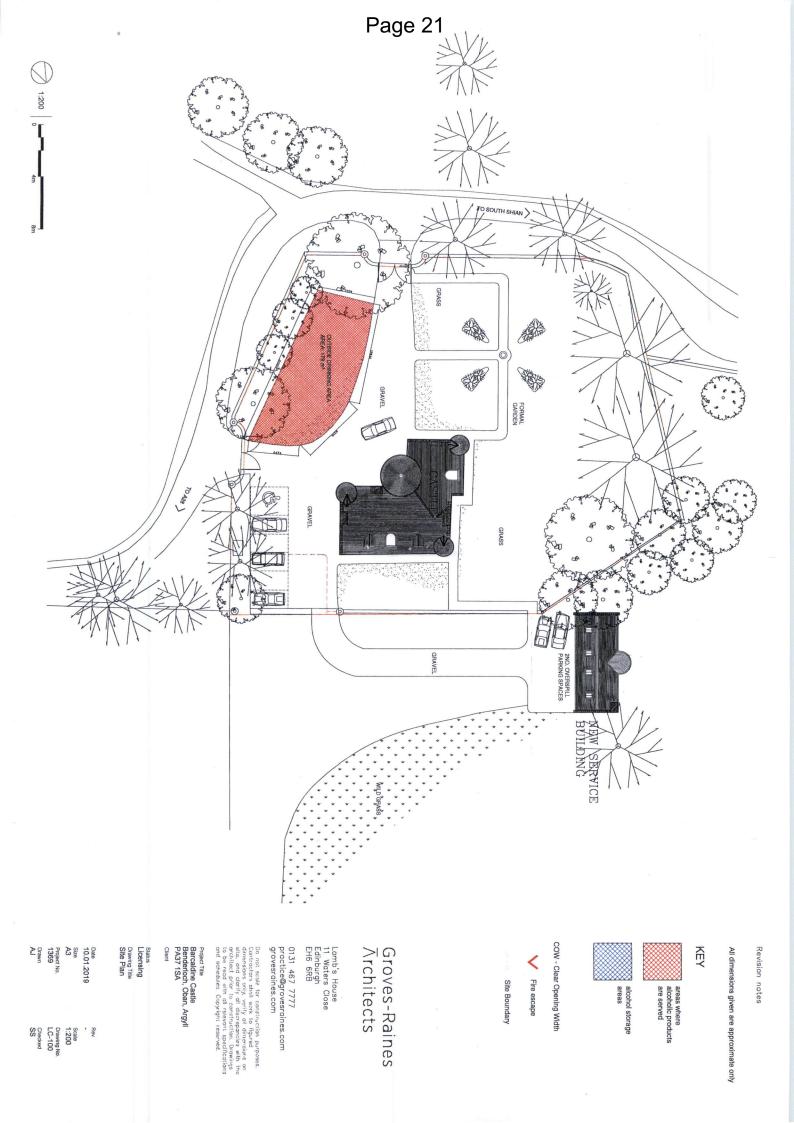
12:00pm to 6:00pm for lunch or afternoon tea. 12:00pm to 9:00pm when attending a wedding or other family event. Young persons (16 & 17 years) until 9:00pm generally. Outdoor drinking area until 9:00pm.

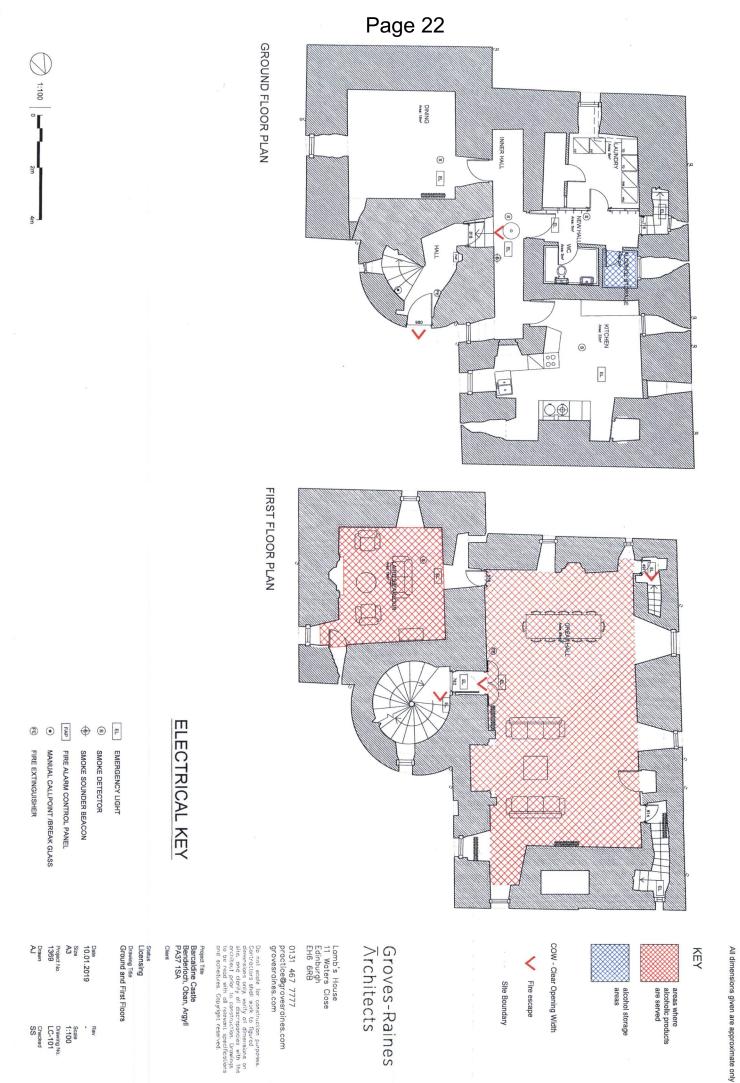
Parts All public parts of the premises.

<u>Disabled Access & Facilities Statement</u> The applicant has submitted this statement.

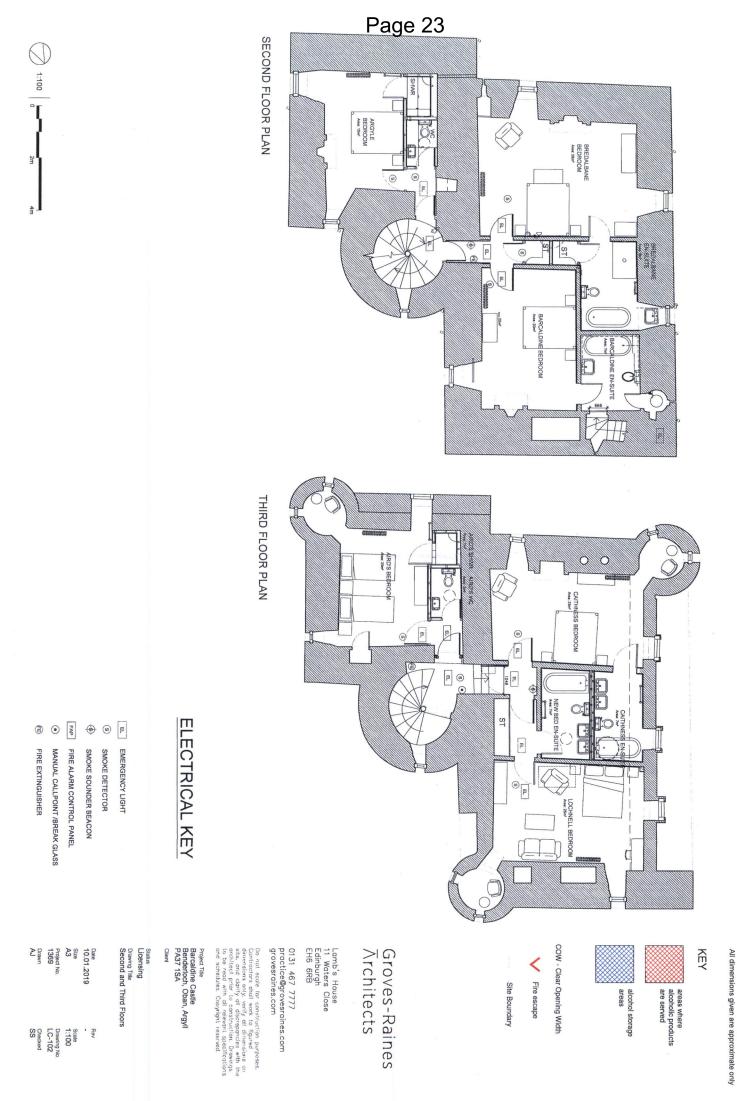
EHO

Environmental Health has been made aware of this application and no comments have been received.





Revision notes



Revision notes

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Argyll and Bute Licensing Board

23rd April 2019

APPLICATION FOR GRANT OF A PROVISIONAL PREMISES <u>LICENCE</u>

NAME OF PREMISES:	The Hill House, Upper Colquhoun Street, Helensburgh, G84 9AJ
APPLICANT:	National Trust for Scotland Enterprises Limited, Hermiston Quay, 5 Cultins Road, Edinburgh, EH11 4DF
AGENT:	Anderson Strathern, 1 Rutland Court, Edinburgh, EH3 8EY

DESCRIPTION OF PREMISES:

The Hill House is an early 20th century Scottish architectural and design masterpiece by Charles Rennie Mackintosh set on the edge of Helensburgh just off the A818. To help protect the building for generations to come, a box is being constructed around the Hill House to dry it out and enable the Trust to carry out crucial conservation work. The box construction will encase the Hill House in a protective steel frame structure covered in chainmesh, featuring walkways around the house at different levels.

The Hill House operates as a tourist attraction and function space. The house and box construction will contain a visitor centre, ticket office and retail shop offering a small selection of gifts and alcohol including miniature whisky for sale, together with cafe facilities on the first floor offering snacks, lunches and a selection of alcohol for consumption either here or on the roof terrace. Additionally, there is a cafe on the ground floor of the house which will act as an overflow for bus tours etc. There are also rooms available for hire, for corporate hospitality, private functions and events where a selection of alcohol can be purchased and consumed in these rooms as well as the roof terrace and lower lawn where marquees may be erected for pre-planned events.

Additionally, this structure has a viewing platform offering stunning views across the Clyde estuary and retail space, which will deliver a unique heritage experience together with an attractive function and event space.

	LICENSED HOURS APPLIED FOR	
	ON SALES	OFF SALES
Monday	10.00 to 24.00	10.00 to 18.00
Tuesday	10.00 to 24.00	10.00 to 18.00
Wednesday	10.00 to 24.00	10.00 to 18.00
Thursday	10.00 to 24.00	10.00 to 18.00
Friday	10.00 to 01.00	10.00 to 18.00
Saturday	10.00 to 01.00	10.00 to 18.00
Sunday	10.00 to 24.00	10.00 to 18.00

SEASONAL VARIATIONS:- The premises will be open to the public all year with the exception of Christmas Day and New Year's Day. However, the premises may open for any pre-booked private event or function.

ACTIVITIES:- Conference facilities; restaurant facilities; receptions including weddings, funerals etc; Club or other group meetings etc.; recorded music; live performances; dance facilities; theatre; films and outdoor drinking facilities.

5(f) ANY OTHER ACTIVITIES:-

The premises will be used for: free flow and guided tours; family events and activities; educational school visits; and evening events such as lectures and debates, classical music concerts, murder mysteries, alcohol tasting events, theatre and film showings, shopping events etc. These are examples of events which may be held but are not exhaustive.

These events may be held before, during and outwith the core licensed hours but no alcohol will be sold or consumed outwith the core licensed hours.

Marquees may be erected for pre-booked events such as receptions, weddings, events and social functions where alcohol may be purchased and consumed beyond 10pm and for the duration of any pre-booked event. No alcohol will be sold or consumed outwith the core licensed hours.

Additionally, a roof terrace (viewing platform) on the second floor which is fully covered, will be open for the use of the public during and outwith the core licensed hours. No alcohol will be sold or consumed outwith the core licensed hours.

CHILDREN AND YOUNG PERSONS CONDITIONS:-

TERMS - Children and young persons will be permitted access when accompanied by an adult 18 years or over.

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

TIMES - 10.00 - 18.00 daily, unless attending a pre-arranged/pre-booked event or function, for the duration of that event.

PARTS – All public areas with the exception of the immediate vicinity of any bar counters

CAPACITY OF PREMISES:- On Sales – 200 persons in house and box with an additional 300 in the marquee.

ITEM 5(a)

Off Sales – 3 square metres.

LSO COMMENTS: See attached Report

POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: NONE

POINTS FOR CONSIDERATION:-

- (1) Provision of Noise Management Plan
- (2) Nature of live performances
- (3) Terminal hour for outdoor areas
- (4) Section 50 provisional planning certificate awaited.

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LSO REPORT

THE HILL HOUSE, UPPER COLQUHOUN STREET, HELENSBURGH, G84 9AJ

LSO

The premises website can be viewed here – <u>https://www.nts.org.uk/visit/places/the-hill-house</u>

An application for a provisional licence, the applicant is hopeful of a quick confirmation following completion of works. In essence the applicant describes this National Trust property as Hill House a Rennie McIntosh treasure with a box like structure cover-all to protect it from the elements. This visitor attraction is now seeking to expand toward private functions such as weddings, and to include the sale of alcohol, on and off.

The Licensing Standards Officer has been in touch with the agent and exchanged emails to tweak the application and the Operating Plan in line with Board policy.

A Disabled Access Statement has been requested and has been submitted prior to the Board Meeting. As a result of discussions an updated Operating Plan has been submitted.

Operating Plan

Question 1 On and off sales

Question 2: On Sales Sunday to Thursday 10:00 to midnight Saturday & Sunday 10:00 till 1am

Board Policy suggests 11:00am for opening hours, however as a visitors centre-matching opening hours, the Board may wish to consider the applicant's preference. For 10:00am.

Question 3: Off sales Monday to Sunday 10:00am till 6:00pm

<u>Question 4: Seasonal variation</u> The property will be open to the public all year with the exception of Christmas Day and New Year's Day. However, the premises may open for any pre-booked private event or function.

<u>Question 5: Activities</u> Conference, restaurant, receptions, clubs, recorded, live, dance, theatre, films and outdoor drinking

Where answered yes, further details;

Conference, restaurant facilities, receptions, weddings, events and social functions may take place before, during and out with the core licensed hours.

Recorded music may be provided in connection with pre-booked receptions, functions or events before, during and out-with the core licensed hours. Recorded music may also be played as background music in the shop and café areas before, during and out-with the core licensed hours.

Live performances, dance facilities, theatre and films may be available before, during and outwith the core licensed hours during pre-booked events.

Outdoor drinking facilities will be available on the lawned areas; these areas will be used by customers to consume soft drinks and as a smoking facility before, during and after core licensed hours.

Question 5(f): Any other activities

The Premises will be used for: free flow and guided tours; family events and activities; educational school visits; and evening events such as lectures and debates, classical music concerts, murder mysteries, alcohol tasting events, theatre and film showings, shopping events etc. These are examples of events which may be held but are not exhaustive.

These events may be held before, during and out with the core licensed hours but no alcohol will be sold or consumed out-with the core licensed hours.

Marquees may be erected for pre-booked events such as receptions, weddings, events and social functions where alcohol may be purchased and consumed beyond 10:00pm and for the duration of any pre-booked event. No alcohol will be sold or consumed out with the core licensed hours.

Additionally, a roof terrace (viewing platform) on the second floor which is fully covered will be open for the use of the public during and out with the core licensed hours. No alcohol will be sold or consumed out with the core licensed hours.

Question 6 (On sales only)

Children and Young Persons

<u>Terms</u>

Children and Young Persons will be permitted access when accompanied by an adult 18 years or over.

<u>Ages</u>

Children: 0 – 15 years Young Persons: 16 & 17 years

<u>Times</u>

10:00 to 18:00 daily unless attending a pre-arranged/pre-booked event or function, for the duration of that event.

<u>Parts</u>

All public areas with the exception of the immediate vicinity of any bar counter.

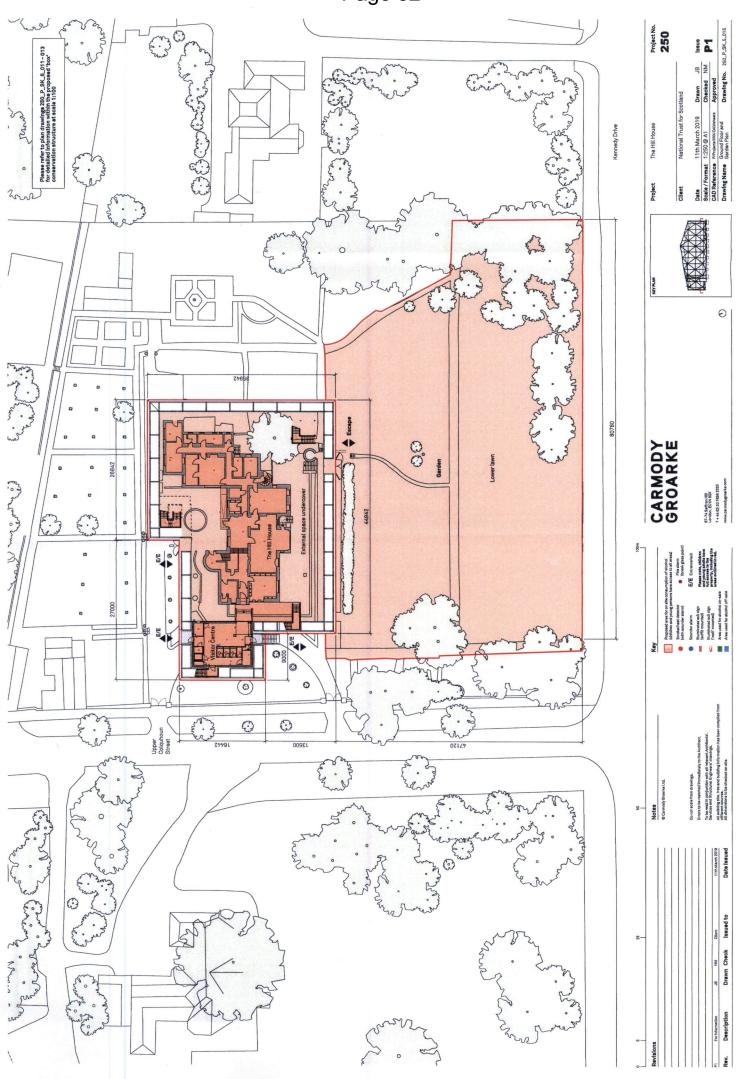
Question 7: Capacity

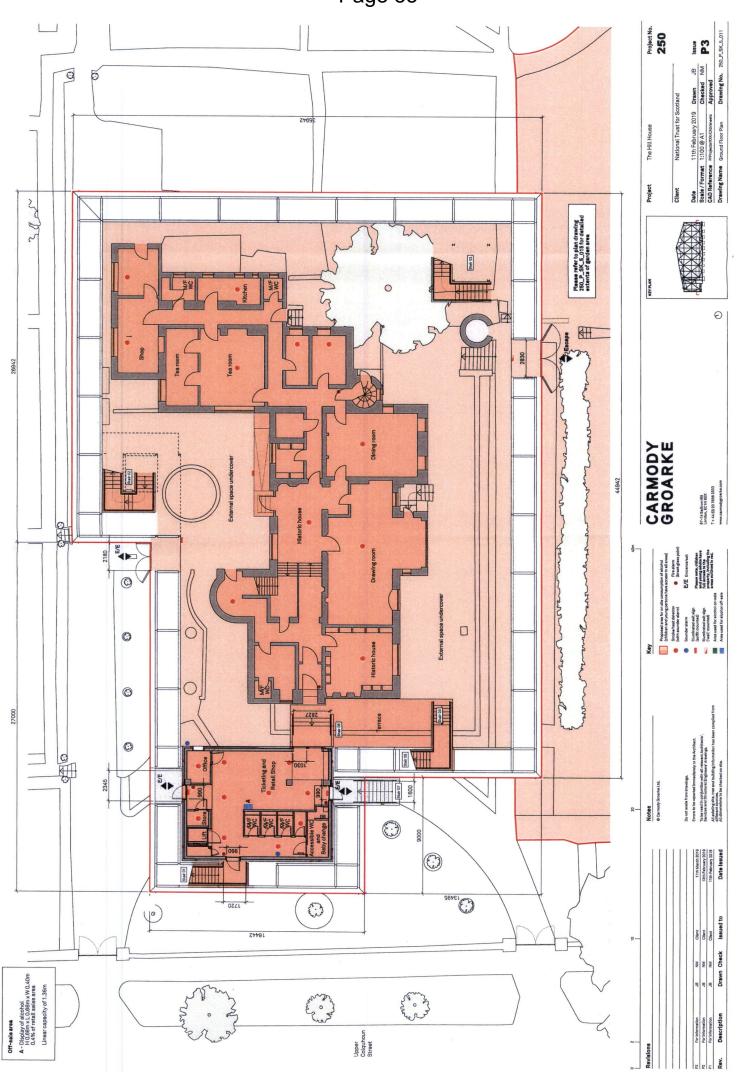
On Sales – 200 persons in house and box with an additional 300 in the marquee.

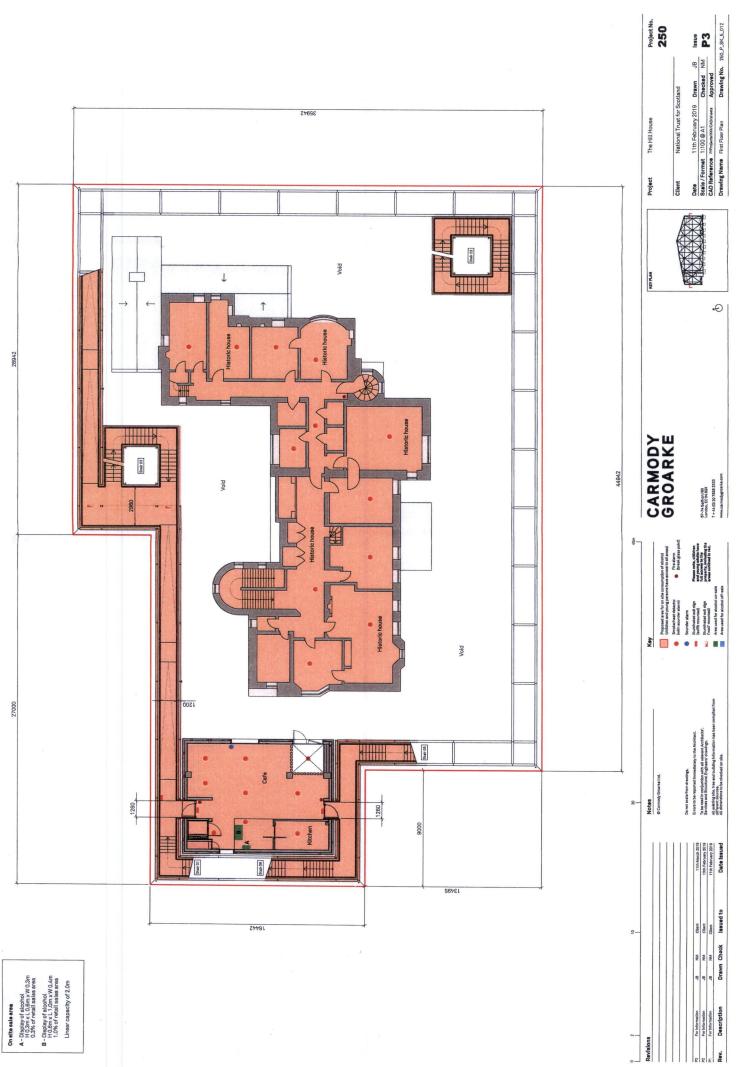
EHO

The LSO will visit the premises along with the EHO to meet the applicant's representative. The HO will be asked to submit a section 50 certificate and to approve a noise management plan with regard to the overall use of the premises.



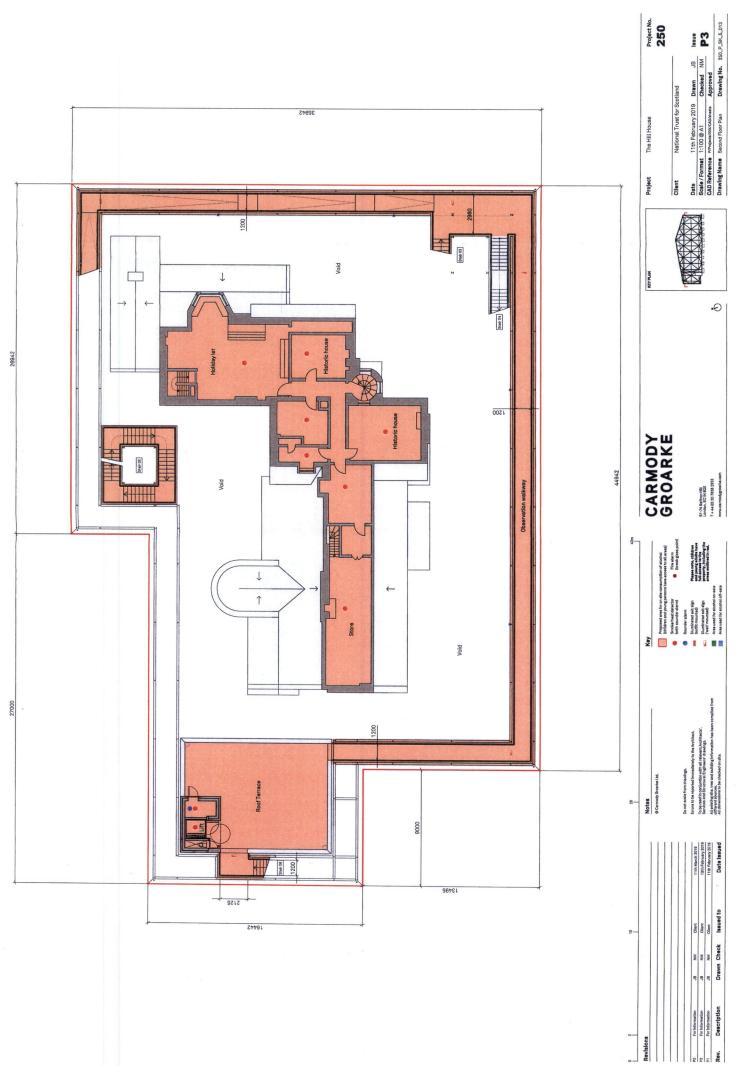






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Argyll and Bute Licensing Board

23rd April 2019

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES:	Gelatoburger, 14 George Street, Oban, PA34 5SB
APPLICANT:	Calum MacLachlainn, Carnanarnish, Putullow Lane, Tobermory, Isle of Mull, PA75 6AF
AGENT:	MacArthur Legal, Boswell House, Argyll Square, Oban, PA34 4BD

DESCRIPTION OF PREMISES:

Shop front premises comprising 14 George Street, Oban with retail shops either side and Solicitor's Office above, comprising on the ground floor Delicatessen with Off-Sales Licence, public toilets and a mezzanine floor - access from stairway mid way through the shop- comprising Coffee Shop with Restaurant Licence and childrens access.

	EXISTING CORE HOURS		
	ON SALES	OFF SALES	
Monday	11.00 to 24.00	10.00 to 22.00	
Tuesday	11.00 to 24.00	10.00 to 22.00	
Wednesday	11.00 to 24.00	10.00 to 22.00	
Thursday	11.00 to 24.00	10.00 to 22.00	
Friday	11.00 to 24.00	10.00 to 22.00	
Saturday	11.00 to 24.00	10.00 to 22.00	
Sunday	11.00 to 24.00	10.00 to 22.00	

DETAILS OF VARIATIONS SOUGHT:-

The applicant wishes to vary the licence as follows:-

1) To add the provision to serve take away meals, snacks and non-alcoholic beverages.

2) Minor changes to the layout plans which include change to the public toilet layout, change to kitchen layout, removal of cellar and introduction of staff room on first floor.

3) To be open beyond core hours for the service of take away food and soft drinks when Oban Live is on.

4) Change to the description of the premises.

PROPOSED DESCRIPTION OF PREMISES:- The premises comprise a diner/restaurant situated on the ground floor and mezzanine floor of premises in George Street. Off-sales and take away snacks and meals are to be provided.

CURRENT ACTIVITIES:- Restaurant facilities; receptions; club or other group meetings; recorded music and live performances; and televised sport to occur both within and outwith core hours.

LSO:- This variation is to amend the premises licence and premises licence operating plan as follows. There are no licensing standards concerns with this application -

Description of Premises on Premises Licence

The current description reads -

"Shop front premises comprising 14 George Street, Oban with retail shops either side and Solicitor's Office above, comprising on the ground floor Delicatessen with Off-Sales Licence, public toilets and a mezzanine floor - access from stairway midway through the shop- comprising Coffee Shop with Restaurant Licence and children's access."

The amendment reads -

"The premises comprise a diner/restaurant situated on the ground floor and mezzanine floor of premises in George Street. Off-sales and take away snacks and meals are to be provided."

Operating Plan

Question 5 – Activities outwith Core hours

<u>Current</u> – "The premises may open prior to the commencement of core hours for the provision of breakfast, snacks and morning meals when recorded and possible live music will be played and televised Sport may be broadcast."

Add - Service of takeaway meals, snacks, and non-alcoholic beverages prior to and after core hours."

Question 5 – Any other activities

<u>Add</u> - "Service of takeaway meals, snacks, and non-alcoholic beverages during core hours."

EHO

Environmental Health has been made aware of this application and no comments have been received.

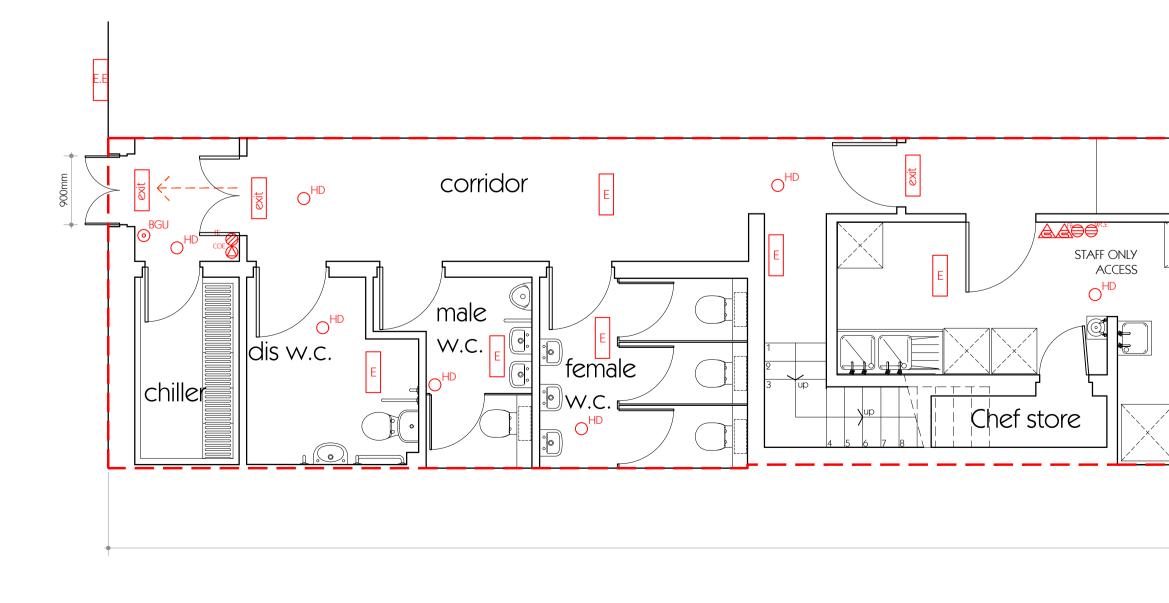
ITEM 6(a)

POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: NONE

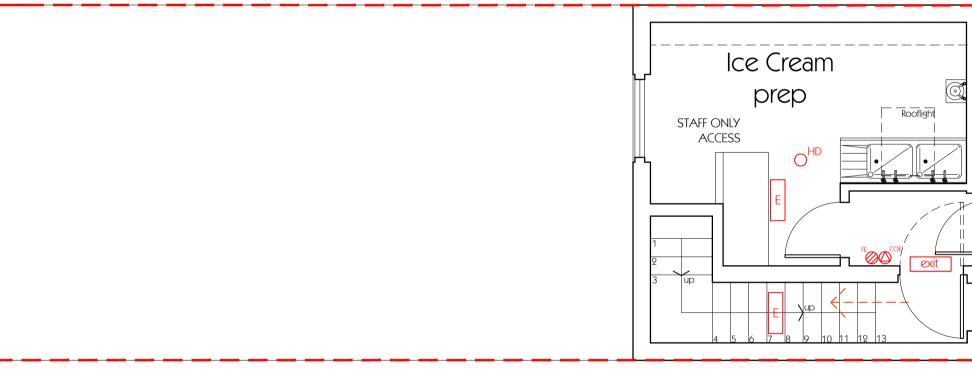
POINTS FOR CONSIDERATION:-

(1) The premises wish to be open beyond core hours when Oban Live is on. To what time?

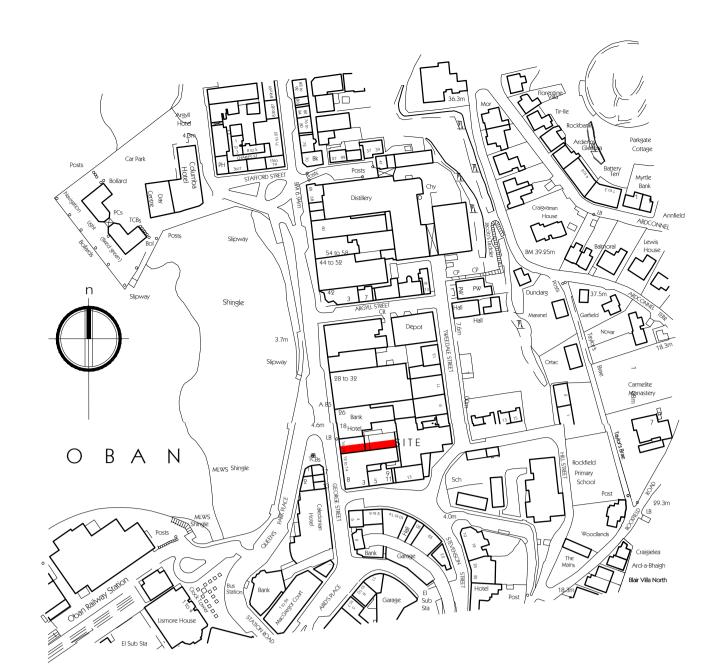


FIRST FLOOR PLAN 1:50











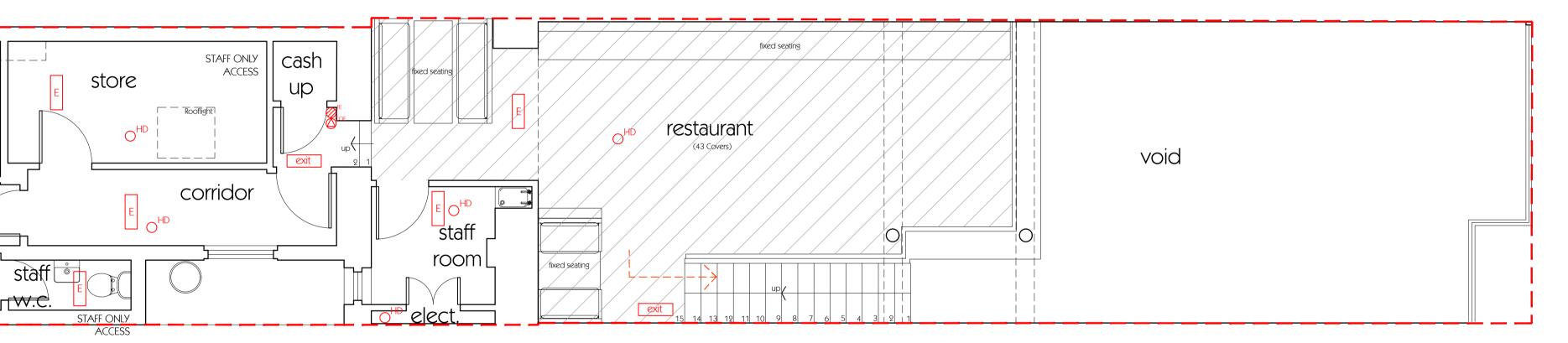
Public Occupancy of Premises (based on occupancy load factor of 1.0 for restaurants) -95m2 = 95 Persons

Children allowed in all public areas

 \leftarrow — — — — Routes to fire escape



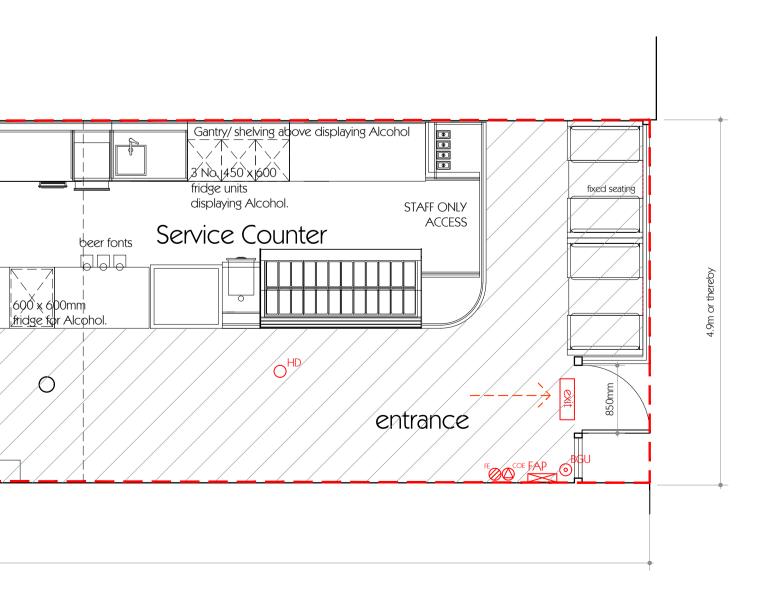




exit	Emergency exit light with 2 hour battery back up
Ø ^{FE}	6 Litre Foam portable fire extinguisher
Q ^{COE}	2 Kg Carbon Dioxide portable fire extinguisher
	3 Litre Wet chemical portable fire extinguisher
A FB	1.2 X 1.2m Fire blanket

	FIRE DETECTION KEY
\bigcirc^{HD}	Heat detector with built in sounder
BGU	Break glass alarm unit
FAP	Fire alarm panel - L1 system
E	Emergency light with 2 hour battery back up
E.E	Emergency light with 2 hour battery back up
exit	Emergency exit light with 2 hour battery back up
ØFE	6 Litre Foam portable fire extinguisher
	2 Kg Carbon Dioxide portable fire extinguisher
	3 Litre Wet chemical portable fire extinguisher
∕ {FB	

0 0.5	1 2 5	10	5	metres SCALE feet	Revision A: Amended in accordance with Clients comments 06.12.18 Revision B: Portable extinguishers added 07.12.18 Revision C: Amended in accordance with Clients comments 11.3.19 Client POLESTAR CONTRACTING LTD.
2013 Emergency Part 1: 200 (OR BS 520 Firefighting	Lighting System to comp 5 (Maintained -2 hour du 56-7: 1999) Equipment to comply w	a British Standard 5839: Part 1 : Dly with British Standard 5266: uration) and BS EN 1838: 1999 ith British Standard EN3, British			Project GELATØBÜRGER, 14 GEORGE STREET, OBAN, ARGYLL, PA34 5SB Drawing
Standard 7863 : 1996, British Standard 5306-8:200 Signs and Notices to comply with the Health and Safety (Safety Signs and Signals) Regulations 1996 and/or British Standard 5499: Part 1 : 1990. The applicant must ensure that the upholstered furniture satisfies				FLOORPLANS LICENSING DRAWING Drawn by CMD Date: NOV 2018 Drawing Gaple 1.50 (20.41)	
the Cigarette and Match Ignitability Test specified in British Standard 5852: 1990 (1998). (NOTE - for existing furnishings only) A Certificate of Compliance to the aforementioned British Standards should be issued by a competent person and forwarded to the Fire Authority prior to, or on the date of the final inspection of the premises.			Drawing Scale: 1:50 @ A1 CAD Filename: Beaton + McMurchy tigh na glaic, taynuilt, argyll. pa35 1jw tel - 01866 822350 fax - 01866 822320 e-mail web architects.co.uk		
					Drawing No. Revision





Argyll and Bute Licensing Board

23rd April 2019

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES: Jura Hotel, Craighouse, Isle of Jura, PA60 7XU

APPLICANT: The Jura Hotel Company Limited, 21 Dalrymple Crescent, Edinburgh, EH9 2NX

AGENT: N/A

DESCRIPTION OF PREMISES:

The premises comprise a three storey detached licensed standing in the village of Craighouse at the intersection of the main single track road from the ferry and a side road leading to Craighouse pier. The premises have 17 letting bedrooms on the first and second floors and on the ground floor two residents' lounges, a dining room, a lounge bar and a public bar. This is a rural island location close to the sea and the only licensed premises on the island.

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

DETAILS OF VARIATIONS SOUGHT:-

The applicant wishes to vary the licence as follows:-

1) To add an outside eating area to the front of the hotel.

- 2) To allow children and young persons to be in the bar without consuming a meal.
- 3) To extend the terminal hour for children and young persons from 9.30pm to 10.00pm.
- 4) To add films as an activity on the licence.
- 5) To amend the wording at question 5(f) any other activities.

CURRENT ACTIVITIES:- Accommodation; Conference facilities; Restaurant facilities; bar meals; receptions; club or other group meetings; recorded music and live performances; dance facilities; gaming; indoor/outdoor sports; televised sport and outdoor drinking facilities.

CURRENT CHILDREN AND YOUNG PERSON'S CONDITIONS:-

TERM -Children and young persons will be permitted entry to all public areas of the premises including access to the public bar when taking a meal until 9.30pm provided accompanied by an adult. Children and young persons will not be permitted to consume or purchase alcohol there.

AGES - Children of all ages and young persons will be permitted access to the public areas of the premises. They are permitted in the public bar when taking a meal until 9.30pm provided accompanied by an adult.

TIMES - Children and young persons will be permitted entry to the public areas of the premises at all hours of the day when they are open to the public. They are permitted in the public bar until 9.30pm provided they are accompanied by an adult.

PARTS - Children and young persons will be permitted access to all public areas of the premises. They are permitted in the public bar when taking a meal until 9.30pm provided accompanied by an adult.

PROPOSED CHILDREN AND YOUNG PERSON'S CONDITIONS:-

TERM – Children and young persons will be permitted entry to all public areas of the premises including access to the public bar when taking a meal until 10.00pm provided accompanied by a responsible adult.

AGES – Children of all ages and young persons will be permitted access to the public areas of the premises. They are permitted in the public bar when taking a meal until 10.00pm provided accompanied by a responsible adult.

TIMES – Children of all ages and young persons will be permitted access to the public areas of the premises. They are permitted in the public bar when taking a meal until 10.00pm provided accompanied by a responsible adult.

PARTS - Children and young persons will be permitted access to all public areas of the premises. They are permitted in the public bar when taking a meal until 10.00pm provided accompanied by a responsible adult. Public areas of the premises are lounge bar, public bar and outside areas.

CURRENT WORDING AT QUESTION 5(f):-

Resident guests will be permitted drinks between 1.00am and 3.00am at the discretion of the licensee.

PROPOSED WORDING AT QUESTION 5(f):- During the day we provide a family friendly environment; families with children typically consume hot drinks, cake, snacks and soft drinks. Also provided are board games and colouring in for younger children.

Resident guests will be permitted drinks between 1.00am and 3.00am at the discretion of the Licensee.

The terminal hour for the outside area will be 10pm.

ITEM 6(b)

LSO:- See attached Report

POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: NONE

POINTS FOR CONSIDERATION:-

- (1) Addition of films as an activity.
- (2) Addition of an external area. The applicant is seeking a terminal hour of 10pm for both adults and children and young persons.
- (3) Extend terminal hour for children and young persons from 9.30pm to 10pm when taking a meal.

LSO REPORT

JURA HOTEL, CRAIGHOUSE, ISLE OF JURA PA60 7XU

LSO

This variation application is to extend the current outdoor drinking facilities; amend access terms for children and young persons; and include films as an activity. There are no licensing standards concerns with this application.

Operating Plan

Question 5 – Films

Update to include the showing of films within core licensing hours.

Question 5 - Outdoor Drinking

The applicant wishes to extend the current facilities to include the additional area highlighted in the submitted layout plan. The LSO viewed this area, which is located in a field in front of, and owned by the Hotel, during a routine inspection of the premises in 2017, and considers it suitable for use as an outdoor eating area/beer garden.

The applicant has proposed a 10:00pm terminal hour for adults aged 18 years and over and for children and young persons. Although this proposal is at odds with Board policy of an 8:00pm terminal hour for children and young persons, the Board may wish consider this proposal favourably due to the location of the Hotel and outdoor area, which are not in close proximity to other properties and therefore a minimal noise nuisance risk.

Question 5 – Outdoor Drinking Facilities – amend to within and outwith core hours.

Question 5 – Activities outwith Core Hours box add –

"Where you have answered YES in respect of any entry in column 4 above, please provide further details below."

The outdoor areas may be used prior to core hours for the provision of breakfasts, snacks, morning meals, and non-alcoholic beverages.

Question 5 - Any other activities add -

"5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) - (e) please provide details or further information in the box below."

Use of outdoor drinking facilities until 10:00pm.

Children and Young Persons Access

Currently recorded in operating plan -

Terms

Children and young persons will be permitted entry to all public areas of the premises including access to the public bar when taking a meal until 9.30pm provided accompanied by an adult. Children and young persons will not be permitted to consume or purchase alcohol there.

Ages

Children of all ages and young persons will be permitted access to the public areas of the premises. They are permitted in the Public bar when taking a meal until 9.30pm provided accompanied by an adult.

Times

Children and young persons will be permitted entry to the public areas of the premises at all hours of the day when they are open to the public. They are permitted in the public bar until 9.30pm provided they are accompanied by an adult.

Parts

Children and young persons will be permitted access to all public areas of the premises. They are permitted in the public bar when taking a meal until 9.30pm provided accompanied by an adult.

Proposed by applicant -

Terms

Children and young persons will be permitted entry to all public areas of the premises including access to the public bar when taking a meal and must be accompanied by a responsible adult, until 10:00pm. *Public areas of the premises are Lounge Bar, Public Bar, & Outside areas.

Ages

Children of all ages and young persons will be permitted access to the public areas* of the premises. They are permitted in the Public Bar until 10:00pm when taking a meal and must be accompanied by a responsible adult. *Public areas of the premises are Lounge Bar, Public Bar, & Outside areas.

Times

Children and young persons will be permitted entry to the public areas of the premises at all hours of the day when they are open to the public. They are permitted in the public bar until 10:00pm when taking a meal and must be accompanied by a responsible adult. *Public areas of the premises are Lounge Bar, Public Bar, & Outside areas.

Parts

Children and young persons will be permitted access to all public areas* of the premises. They are permitted in the public bar until 10:00pm when taking a meal and must be accompanied by a responsible adult. *Public areas of the premises are Lounge Bar, Public Bar, & Outside areas.

Alternative wording proposed by LSO -

As the information supplied at Question 6 will be transposed on to the Statutory Children and Young Person Access Notice which will be displayed at the entrance to the premises it is best that the information provided is in the form of a statement, similar to -.

Terms

Children and young persons of all ages will be permitted entry to all public areas of the premises until 10:00pm, including access to the public bar when taking a meal and must be accompanied by an adult aged 18 years or over.

Public areas of the premises are Lounge Bar, Public Bar, & Outside areas.

Ages

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

Times

From opening until 10:00pm daily

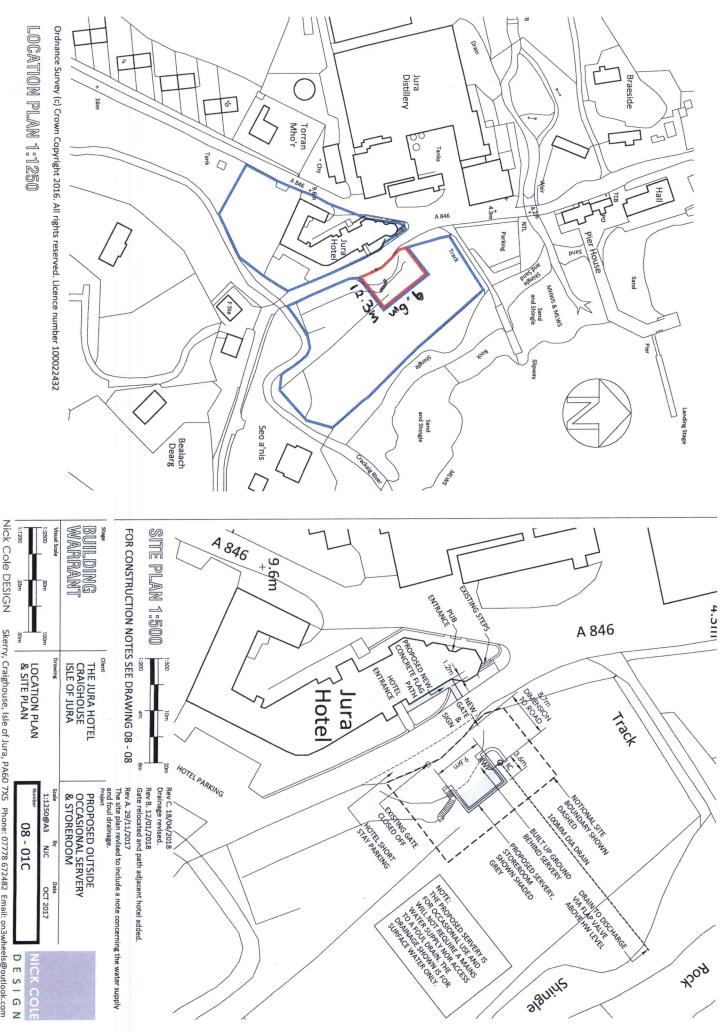
Parts

All public areas of the premises, including Lounge Bar, Public Bar, and outside areas.

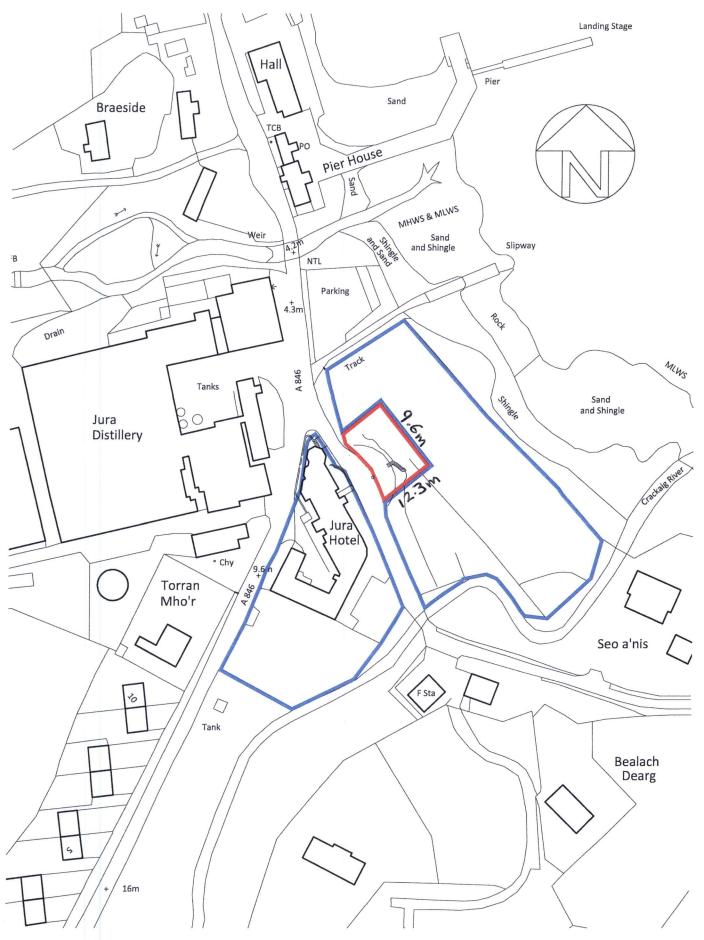
EHO

Environmental Health has been made aware of this application and no comments have been received.





Skerry, Craighouse, Isle of Jura, PA60 7XS Phone: 07778 672482 Email: on3wheels@outlook.com 2



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LOCATION PLAN 1:1250



Argyll and Bute Licensing Board

23rd April 2019

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES:	Port Charlotte Store, Main Street, Port Charlotte, Isle of Islay, PA48 7TL

APPLICANT: Thomas Hunter, The Old Byre, Main Street, Port Charlotte, Isle of Islay, PA48 7TX

AGENT: N/A

DESCRIPTION OF PREMISES:

General grocers shop with sub post office in rural location in the village of Port Charlotte on the Rhinns of Islay. Off Sales. Semi-detached building.

	EXISTING CORE HOURS		PROP	PROPOSED CORE HOURS	
	ON SALES	OFF SALES	ON SALES	OFF SALES	
Monday	N/A	10.00 to 17.30	N/A	10.00 to 20.00	
Tuesday	N/A	10.00 to 17.30	N/A	10.00 to 20.00	
Wednesday	N/A	10.00 to 17.30	N/A	10.00 to 20.00	
Thursday	N/A	10.00 to 17.30	N/A	10.00 to 20.00	
Friday	N/A	10.00 to 17.30	N/A	10.00 to 20.00	
Saturday	N/A	10.00 to 17.30	N/A	10.00 to 20.00	
Sunday	N/A	12.30 to 13.30	N/A	12.00 to 18.00	

DETAILS OF VARIATIONS SOUGHT:-

The applicants wish to vary the licence as follows:-

- 1) To extend on sales terminal hour to 8pm Monday to Saturday and 6pm on a Sunday.
- 2) Change of layout plan to add a chiller cabinet.
- 3) Increase in off-sales capacity.
- 4) To amend the seasonal variation

CURRENT SEASONAL VARIATION:- During the Caledonian MacBrayne winter time table period which runs from November to February generally each year the ferry sailings to/from the mainland on a Sunday alter. During this time the shop hours on a Sunday change to 3.30pm to 5.30pm.

PROPOSED SEASONAL VARIATION:- We may alter our opening times to provide flexibility to respond to peak periods such as summer festivals and the core spring to autumn period but we will cap our hours to those above. This will enable us to grow and develop the Port Charlotte store as a community hub. It also enables us to react to changes in the CalMac seasonal timetable and any delay in the service due to mechanical issues or weather.

CURRENT OFF-SALES CAPACITY:- 0.9 M2 PROPOSED OFF-SALES CAPACITY:- 1.75 M2

LSO:- This application is to add a chiller facility as part of the alcohol display area and re-configure the overall alcohol display area as follows -

- 1. One accessible area on the shop floor measuring 2500mm (w) x 600mm (d) x 2000mm (h) comprising a chiller cabinet and shelving.
- 2. One inaccessible area (behind counter) measuring 900mm (w) x 280mm (d) x 800mm (h)

The above proposals meet the requirements of the 2005 Act.

The total area given over to the display of alcohol will be 1.75m² which is 3.3% of the total retail area of the shop.

EHO

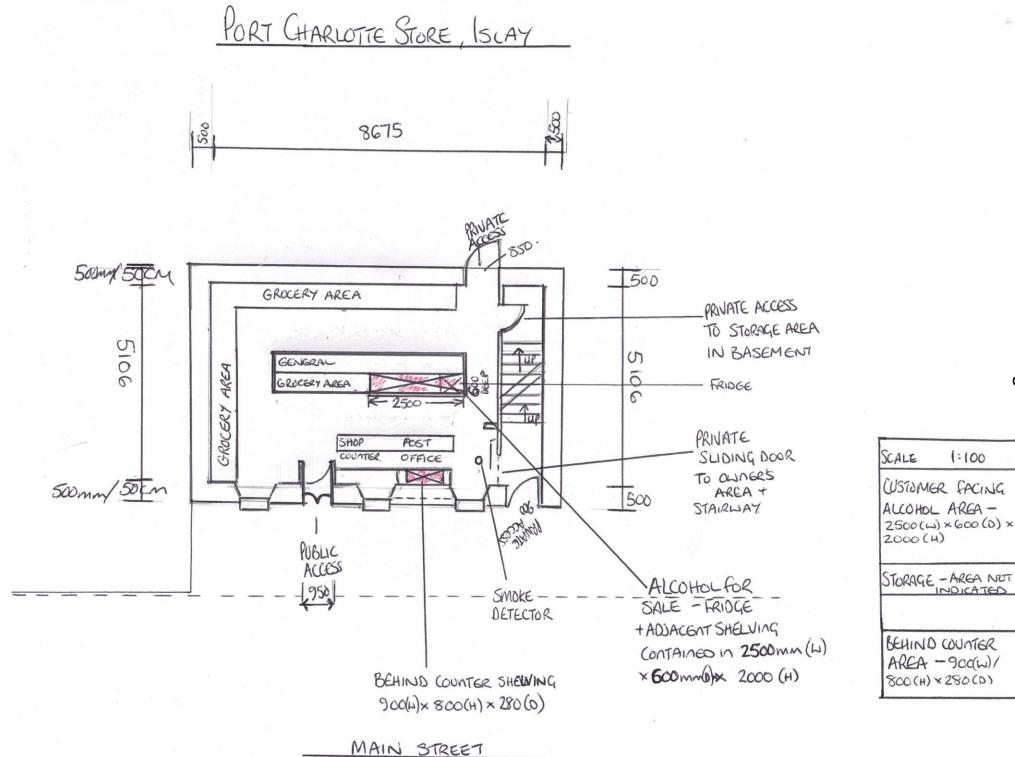
Environmental Health has been made aware of this application and no comments have been

POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: NONE

POINTS FOR CONSIDERATION:-

- (1) To extend the terminal hour from 5.30pm to 8pm Monday to Saturday and from 1.30pm to 6pm on a Sunday. The commencement hour on a Sunday extended from 12.30pm to 12pm.
- (2) To increase the off-sales capacity from 0.9m2 to 1.75m2 (addition of a chiller cabinet).
- (3) To amend the seasonal variation.





Argyll and Bute Licensing Board

23rd April 2019

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES: The Clyde Bar, 62-64 West Clyde Street, Helensburgh, G84 8AX

APPLICANT: John Rapallini, 65 West Clyde Street, Helensburgh, G84 8AX

AGENT: N/A

DESCRIPTION OF PREMISES:

The premises are located in the main front road of Helensburgh. The premises are attached to other commercial properties on the ground floor with residential flats above.

	EXISTING CORE HOURS		
	ON SALES	OFF SALES	
Monday	11.00 to 24.00	11.00 to 22.00	
Tuesday	11.00 to 24.00	11.00 to 22.00	
Wednesday	11.00 to 24.00	11.00 to 22.00	
Thursday	11.00 to 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	12.30 to 01.00	12.30 to 22.00	

DETAILS OF VARIATIONS SOUGHT:-

The applicant wishes to vary the licence as follows:-

- 1) To add children and young persons conditions to the licence. They are not allowed on the premises at present.
- 2) To add Bar meals and Restaurant as activities on the licence.

PROPOSED CHILDREN AND YOUNG PERSON'S CONDITIONS:-

TERM -Children and young persons are allowed entry for private functions and pre-booked events when accompanied by an adult over 18.

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

TIMES - Children and young persons can remain on the premises for the duration of the function or pre-booked event.

PARTS - All public areas with the exception of the bar area except when entering and exiting the premises and to access the toilet facilities.

LSO:- The applicant seeks adjustment to his Operating Plan to allow Children and Young Persons access for pre-booked events or functions only, and to allow for food to be served at events and functions via "Bar meals", "Restaurant" provision, in essence outside caterers will be contracted to supply food.

I have visited the premises on several occasions and would suggest that the following changes could be made to allow the premises to expand the type of service requested.

Operating Plan

Question 5: Activities; Bar meals, Restaurant (for above purpose)

Question 6: Children and Young Persons

Terms

Children and Young Persons are allowed entry for private functions and pre booked events when accompanied by an adult over the age of 18.

Ages

Children 0-15 (baby changing facilities will be provided) Young Persons 16 & 17

Times

Children and Young Persons can remain on the premises for the duration of the function or pre booked event.

Parts;

All public areas, with exception of the bar area, except when entering and exiting the premises and to access the toilet facilities

EHO

The EHO has been made aware of this application, will make contact with the applicant and will liaise with regard to issues surrounding food safety she has no concerns provided advice is followed.

POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: NONE

POINTS FOR CONSIDERATION:

- (1) To allow access by children and young persons for the purpose of attending a private function/pre-booked event.
- (2) The addition of restaurant facilities and bar meals as activities. The premises does not provide meals in-house but this is to allow the provision of food by outside caterers for private functions/pre-booked events.



Argyll and Bute Licensing Board

23rd April 2019

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES:	The Creggans, Shore Road, Kilcreggan, G84 0JH
APPLICANT:	D & E Bars Ltd, The Creggans, Shore Road, Kilcreggan, G84 0JH
AGENT:	N/A

DESCRIPTION OF PREMISES:

Public House premises which have operated for many years under a Public House Licence. They are located in the ground floor of a tenement property.

	EXISTING CORE HOURS		
	ON SALES	OFF SALES	
Monday	11.00 to 24.00	11.00 to 22.00	
Tuesday	11.00 to 24.00	11.00 to 22.00	
Wednesday	11.00 to 24.00	11.00 to 22.00	
Thursday	11.00 to 24.00	11.00 to 22.00	
Friday	11.00 to 01.00	11.00 to 22.00	
Saturday	11.00 to 01.00	11.00 to 22.00	
Sunday	12.00 to 24.00	12.00 to 22.00	

DETAILS OF VARIATIONS SOUGHT:-

The applicants wish to vary the premises licence as follows:-

1) To allow children and young persons to remain on the premises until 9.00pm or until the terminal hour if attending an event.

2) To extend the terminal hour for the outside area to 10pm. At present the terminal hour is 8pm.

CURRENT CHILDREN AND YOUNG PERSON'S CONDITIONS:-

TERM -Children and young persons will be permitted access to the premises provided they are accompanied by an adult.

AGES – 5 – 17 years

TIMES - Subject to the foregoing conditions, children and young persons must vacate the premises at 8.00pm or the terminal hour of an event they are attending.

PARTS - Children and young persons will only be permitted access to the designated areas (as indicated on the layout plan) provided accompanied by an adult. They must vacate the premises at 8.00pm or at the terminal hour of the event.

PROPOSED CHILDREN AND YOUNG PERSON'S CONDITIONS:-

TERM -Children and young persons will be permitted access to the premises provided they are accompanied by an adult.

AGES – 5 – 17 years

TIMES - Subject to the foregoing conditions, children and young persons must vacate the premises at 9.00pm or the terminal hour of an event they are attending.

PARTS - Children and young persons will only be permitted access to the designated areas (as indicated on the layout plan) provided accompanied by an adult. They must vacate the premises at 9.00pm or at the terminal hour of the event.

LSO:- The applicant has recently finished works on the outside drinking area and has taken the opportunity to review his overall Layout Plan and Operating Plan to ensure they match with the direction the business is moving, i.e. toward demand for a local family friendly eatery with flexibility to look after the visiting tourists and their children.

Operating Plan

Question 5: Activities Add Indoor sports.

The applicant forgot to add this to his submission, there is a pool table within the premises and amendment is required to allow compliance with the Operating Plan.

Outside Drinking Area

Discussion with the applicant suggests he wants to use the new (photographed) fenced off seated area as the outside drinking/eating space, and to include children. The benched area to the left side will be used as the smoking/drinking area where children will not be permitted. The <u>updated</u> Layout Plan has been adjusted to suit.

The applicant asks for amendment to his Operating Plan, relative to the terminal hour for the outside drinking area which is 8pm. He seeks permission to adjust this timing in line with Board policy which is 10pm for adults and 8pm for children and young persons.

Question 6: Children and Young Persons

Times

Current; Vacate 8pm or terminal hour of an event they are attending Sought; Vacate 9pm or terminal hour of an event they are attending.

ITEM 6(e)

Applicant intimates that this additional hour matches demand and fits with last orders for food, allowing a family to complete a meal prior to end of child access.

Ages Should be amended to read

Children 5 to 15 Young Persons 16 & 17

Parts

Refers to Layout Plan provided (please see most recent <u>updated</u> version) and delete the following; "They must vacate the premises at 8:00pm or at the terminal hour of the event"

EHO

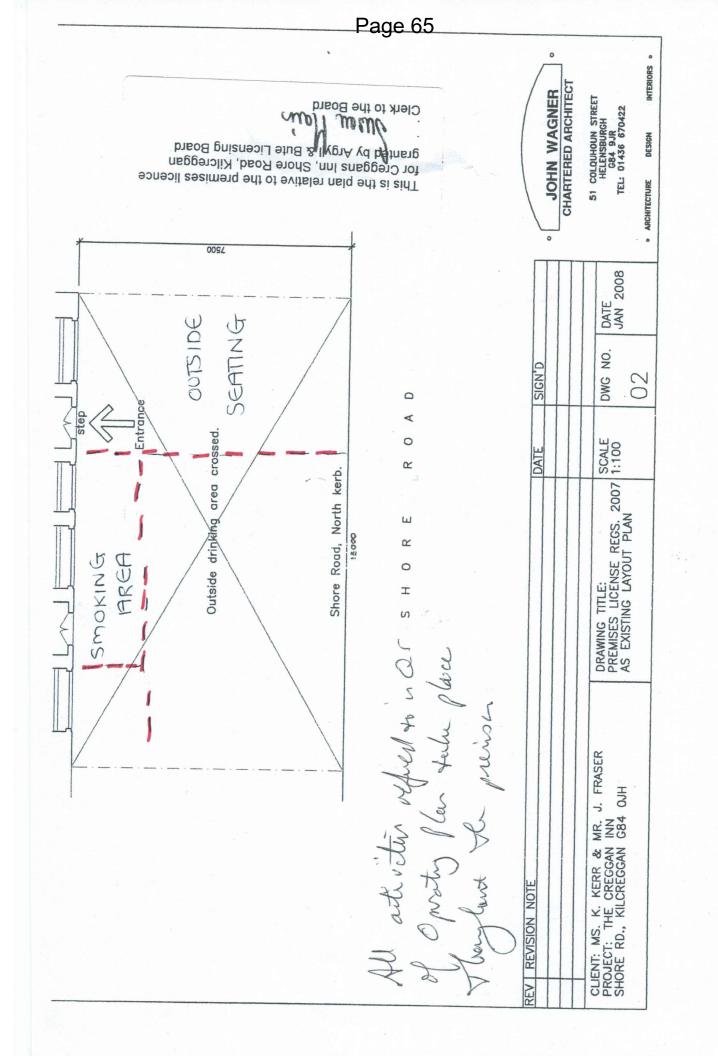
The Environmental Health Officer has been made aware of this variation and has no issues, she is happy to work with the applicant toward implementation of a noise management plan.

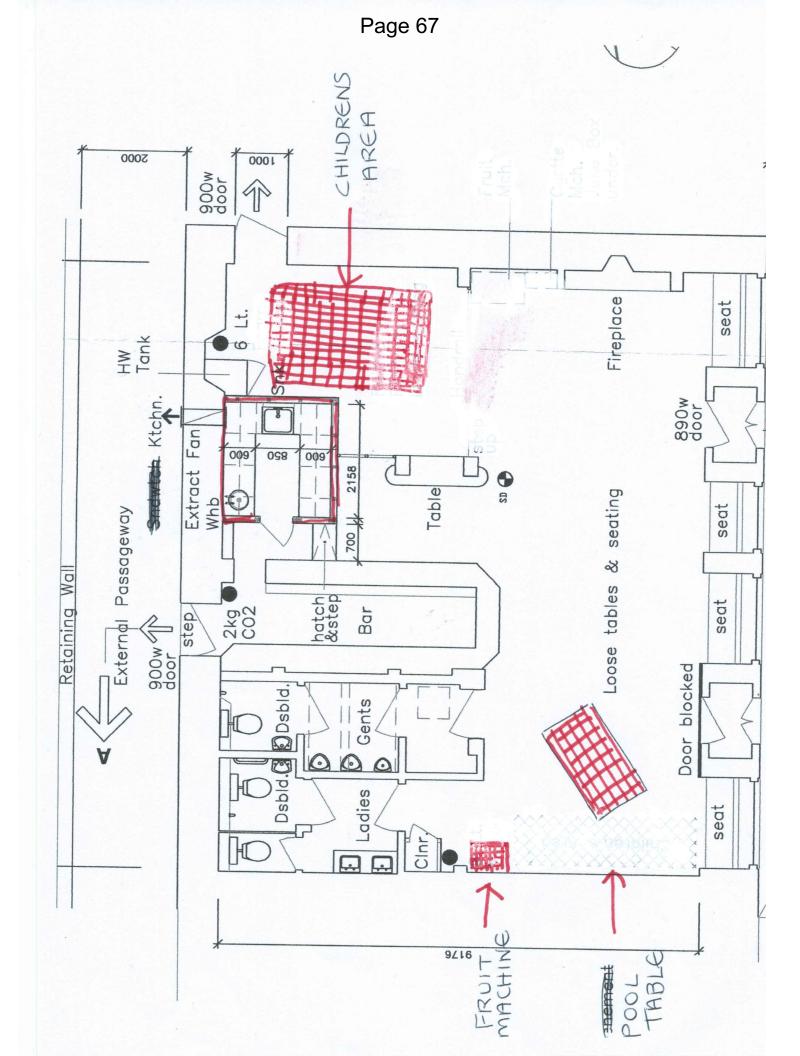
POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: NONE

POINTS FOR CONSIDERATION:-

- (1) To extend the terminal hour for children and young persons from 8pm to 9pm.
- (2) To extend the terminal hour for the external area from 8pm to 10pm.
- (3) Provision of a noise management plan.







Argyll and Bute Licensing Board

23rd April 2019

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES:	Tigh na Uruisg, Upper Kilchattan, Isle of Colonsay, PA61 7YR
APPLICANT:	Wild Thyme Spirits Ltd., Address as above
AGENT:	N/A

DESCRIPTION OF PREMISES:

The premises are a detached boutique guest house and distillery set in the rural area of Upper Kilchattan, Isle of Colonsay offering full board accommodation for guests and distillery tours and gin tasting experiences for guests and the public.

	EXISTING CORE HOURS	
	ON SALES	OFF SALES
Monday	12.00 to 23.00	10.00 to 22.00
Tuesday	12.00 to 23.00	10.00 to 22.00
Wednesday	12.00 to 23.00	10.00 to 22.00
Thursday	12.00 to 23.00	10.00 to 22.00
Friday	12.00 to 23.00	10.00 to 22.00
Saturday	12.00 to 23.00	10.00 to 22.00
Sunday	12.00 to 19.00	10.00 to 22.00

DETAILS OF VARIATIONS SOUGHT:-

The applicants wish to vary the premises licence as follows:-

- 1) To amend the wording at 5(f) any other activities.
- 2) To add children and young persons conditions. They are not currently permitted on the premises.
- 3) To amend the description of the premises.
- 4) Change of layout plan. Inclusion of distillery buildings in the licensed area

PROPOSED CHILDREN AND YOUNG PERSON'S CONDITIONS:-

TERM - Children and young persons allowed entry to the distillery tour and main house during tour if accompanied by a responsible adult aged 18 years or over.

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

TIMES – For the period of the distillery tour only - 12.00pm to 4.00pm.

PARTS – All public parts of the premises.

CURRENT DESCRIPTION OF PREMISES:- Wild Thyme Spirits Ltd. is a new business on the Isle of Colonsay. A detached premises set in the area of Upper Kilchattan with no direct neighbouring properties, other than an adjacent cottage in the applicant's ownership. Other nearby properties are holiday homes.

The premises are a boutique guest house specializing in gin tasting experiences. The guest house will cater for small groups of gin enthusiasts offering full board accommodation, fine dining, history of gin presentations, cocktail making demonstrations, as well as gin tastings. On sales is only available to these guests.

It is also our intention to sell to the off trade via the internet plus to wholesale distributors as well as directly to local on and off trade establishments.

PROPOSED DESCRIPTION OF PREMISES:- The premises are a detached boutique guest house and distillery set in the rural area of Upper Kilchattan, Isle of Colonsay offering full board accommodation for guests and distillery tours and gin tasting experiences for guests and the public.

CURRENT WORDING AT 5(F) ANY OTHER ACTIVITIES:- The premises are a detached boutique guest house set in the rural area of Upper Kilchattan, Isle of Colonsay, offering gin tasting experiences to guests on a full board accommodation basis and includes fine dining, history of gin presentations and cocktail making demonstrations. On sales available to guests only. Off sales will be sold from the premises via the internet; and to wholesale trade distributors; local trade establishments.

PROPOSED WORDING AT 5(F) ANY OTHER ACTIVITIES:- Activities taking place on the premises:-

THE GUEST HOUSE - a boutique guest house specialising in gin tasting experiences, catering for small groups of gin enthusiasts offering full board accommodation, fine dining, history of gin presentations, and cocktain making. Formal gin tastings available in the house for up to 8 people during core on sales hours of 12.00 and 23.00 hours. This is a pre-booked activity for adults aged 18 years or over. DISTILLERY TOURS, TASTINGS AND OFF SALES - distillery housed in a separate garage/workshop within the grounds of the premises offering pre-booked distillery tours for parties of up to 10 people. Sampling of products and off sales will be available to visitors. Tours restricted to Tuesday, Wednesday, Thursday and Saturday afternoons 12 noon to 4.00pm.

ON SALES - available to residential guests and distillery tours.

OFF SALES - available to residential guests; distillery tours; and also via he internet; and to wholesale trade distributors; and local trade establishments.

LSO:- See attached Report

POLICE COMMENTS: No Police objections

OBJECTIONS/REPRESENTATIONS: NONE

POINTS FOR CONSIDERATION:-

- (1) Amendment of description of premises.
- (2) Addition of distillery tours and tastings.
- (3) Access by children and young persons for the purposes of the distillery tour and the main house during the tour provided accompanied by an adult aged 18 years or over.

LSO REPORT

TIGH NA URUISG, UPPER KILCHATTAN, ISLE OF COLONSAY, PA61 7YR

LSO

The premises is extending its offering to incorporate distillery tours and tastings and the inclusion of children and young person access. This variation application is to add the following -

Description of Premises on Premises Licence

The current description reads -

"Wild Thyme Spirits Ltd. is a new business on the Isle of Colonsay. A detached premises set in the area of Upper Kilchattan with no direct neighbouring properties, other than an adjacent cottage in the applicant's ownership. Other nearby properties are holiday homes. The premises are a boutique guest house specializing in gin tasting experiences. The guest house will cater for small groups of gin enthusiasts offering full board accommodation, fine dining, history of gin presentations, cocktail making demonstrations, as well as gin tastings. On sales is only available to these guests. It is also our intention to sell to the off trade via the internet plus to wholesale distributors as well as directly to local on and off trade establishments."

The amendment reads –

"The premises is a detached boutique guest house and distillery set in the rural area of Upper Kilchattan, Isle of Colonsay, offering full board accommodation for guests and distillery tours and gin tasting experiences for guests and the public."

Operating Plan

Question 5 – Activities outwith Core hours

Restaurant facilities – breakfasts for guests.

Question 5 – Any other activities

<u>Distillery tours, tastings and off sales</u> - distillery housed in a separate garage/workshop within the grounds of the premises offering pre-booked distillery tours for parties of up to 10 people. Sampling of products and off sales will be available to visitors. Tours restricted to Tuesday, Wednesday, Thursday and Saturday afternoons 12:00pm – 4:00pm.

<u>Formal gin tastings</u> – available in the house for up to 8 people during core on sales hours of 12:00pm and 11:00pm. This is a pre-booked activity for adults aged 18 years or over only.

<u>Off sales</u> - available from main house; and also via the internet; and to wholesale trade distributors; and local trade establishments.

Question 6 – Children and Young Persons

As the premises now includes on sales of alcohol, the following wording has been added in relation to children and young person access to the premises –

Terms

Children and young persons allowed entry to the distillery tour and main house during tour if accompanied by an adult aged 18 years or over.

Ages Children of all ages [birth to 15 years] and young persons [16 & 17 years].

Times For the period of the Distillery tour only – 12:00pm to 4:00pm.

Parts All public parts of the premises.

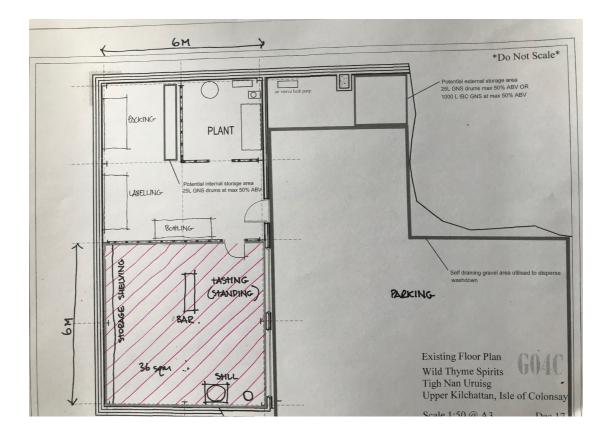
Question 7 – Capacity

On sales - 22

EHO

Environmental Health has been made aware of this application and no comments have been received.

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Argyll and Bute Licensing Board

23rd April 2019

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES: Burnside Bar, 1 Burnside Street, Campbeltown, PA28 6JE

APPLICANT: James McLean, Whinhill Farm, 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 CORE HOURS		
	ON SALES	OFF SALES	
Monday	11.00 until 01.00	11.00 until 22.00	
Tuesday	11.00 until 01.00	11.00 until 22.00	
Wednesday	11.00 until 01.00	11.00 until 22.00	
Thursday	11.00 until 01.00	11.00 until 22.00	
Friday	11.00 until 02.00	11.00 until 22.00	
Saturday	11.00 until 02.00	11.00 until 22.00	
Sunday	11.00 until 01.00	11.00 until 22.00	

DETAILS OF VARIATIONS SOUGHT:-

The applicant wishes to vary the licence as follows:-

- 1. To add an outdoor drinking area
- 2. Change of layout plan to reflect this.

ADDITION OF OUTDOOR DRINKING AREA:-

The applicant is seeking permission for an outdoor drinking area both tables and chairs on Harvey's Lane which is located immediately outside the premises . The applicant proposes to enhance the bar with hanging baskets and pot plants and safety barriers to attain a pleasant environment as experienced in many towns and cities.

LSO: The applicant wishes to add an outdoor drinking area immediately in front of his premises in Harvey's Lane. Harvey's Lane was a public roadway with through traffic access.

If the Board is minded to grant this application, it may wish to consider the default curfew for outside areas in the Board's policy statement of 10:00pm generally and 8:00pm for children and young persons.

EHO - made aware of application. No comments.

POLICE COMMENTS: No Police objections

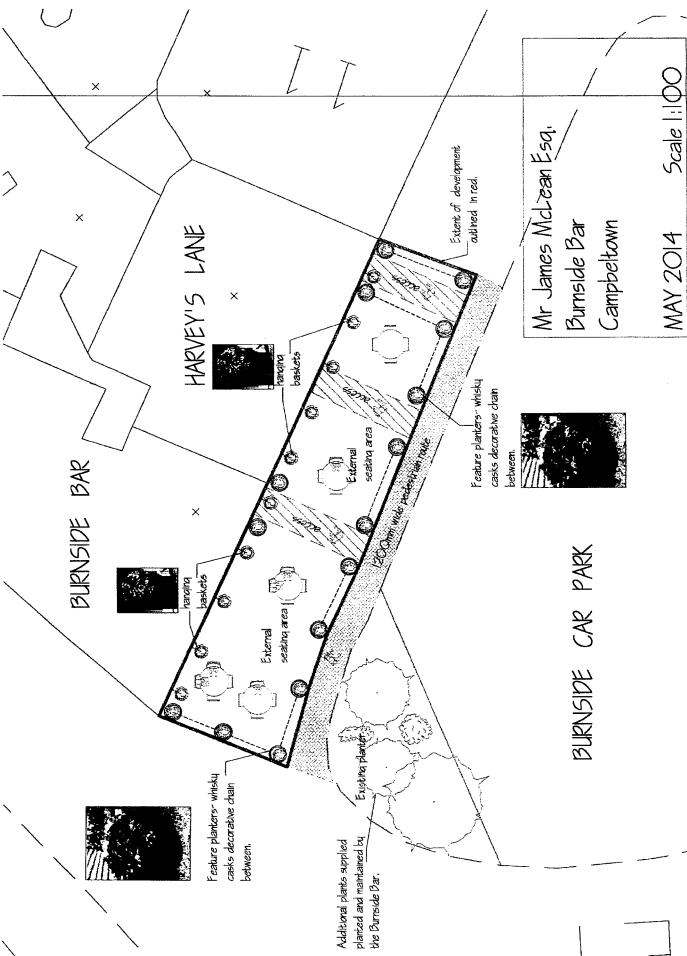
OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:-

1. This is part of a variation application which was first considered by the Licensing Board at their meeting on 24th June 2014. At that time, it was decided to continue this element as the outside area being sought for outdoor drinking formed part of the public roadway, and there were plans to pedestrianise Burnside Square as part of a traffic management scheme for Campbeltown. The relevant formal processes to implement the pedestrianisation have now been completed and signage and lining works will take place shortly. It is therefore appropriate that this variation application should come back before the Board.

1. Consider the addition of an external licensed area on what is currently a public road.

2. If the foregoing is granted, the need for a terminal hour.



Agenda Item 9a

Revoke Personal Licences

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11						71	Revoke Personal Licences	I Licences	-				
m	7	Name											
lte	7	Argyll & Bute Licensing	Licensin	g Board									
a													
٦d	Personal Licence No.	Licence Holder	Effective From Date	Expiry Date	Training Due	Reminder Printed	Notes	Personal Licence Status	Date Licence Revoked	DPM Premises Licence No.	DPM Premises Name	DPM Premises Licence Status	DPM Role Status
Ager	AR1733	Sean Patrick McAlindon 8 Lamedon Mill Court Lemington Newcastle upon Tyne NE15 8XS	05/12/2013	05/12/2023	05/12/2018	27/08/2018	Training reminder printed 27/08/2018	Current					
N	AR1734	Nicola Scott 7 Lever Road Helensburgh G84 9DP	05/12/2013	05/12/2023	05/12/2018	27/08/2018	Training reminder printed 27/08/2018	Current					
105 _°	AR1737	Stewart Duncan Sharkey 36 Lever Road Helensburgh G84 9DP	05/12/2013	05/12/2023	05/12/2018	27/08/2018	Training reminder printed 27/08/2018	Current					
Page _⊾	AR1738	Carol Cameron 18 Manse Gardens Strachur Caimdow PA27 8DS	16/12/2013	16/12/2023	16/12/2018	27/08/2018	Training reminder printed 27/08/2018	Current					
ن	AR1741	Simone Allan 43A Combie Street Oban PA34 4HS	09/01/2014	09/01/2024	09/01/2019	28/09/2018	Training reminder printed 28/09/2018	Current					
<u>م</u>	AR1744	Karen Hansen Flat 1 Bellevue Road Rothesay Isle of Bute PA20 0DT	21/01/2014	21/01/2024	21/01/2019	28/09/2018	Training reminder printed 28/09/2018	Current					
۲	AR1745	Christopher John Jamieson 14A Battery Place Rothesay Isle of Bute PA20 9DP	21/01/2014	21/01/2024	21/01/2019	28/09/2018	Training reminder printed 28/09/2018	Current					
00	AR1746	Jamie Malloch Flat Ground 2 3 Alexandria Terrace William Street Dunoon PA23 7JE	21/01/2014	21/01/2024	21/01/2019	28/09/2018	Training reminder printed 28/09/2018	Current					

9 AR	Lic	Pe	
-	cence No.		
Robert McKellar		Licence Holder	
21/01/2014	Date	Effective From	
21/01/2024		Expiry Date	
21/01/2019		Training Due	
28/09/2018	Printed	Reminder	
Training reminder printed		Notes	
Current	Status	Personal Licence	
	Revoked	Date Licence	
	Licence No.	DPM Premises	
	Name	DPM Premises	
	Licence Status	DPM Premises	
	Status	DPM Role	
	AR1747 Robert McKellar 21/01/2014 21/01/2024 21/01/2019 28/09/2018 Training reminder printed	Licence No. Date Printed Status Revoked Licence No. Name Licence Status AR1747 Robert McKellar 21/01/2014 21/01/2024 21/01/2019 26/09/2018 Training reminder printed Current Image: Current	Personal Licence Holder Effective From Expiry Date Training Due Reminder Notes Personal Licence Date DPM Premises DPM Premises Licence No. Date Date Training Due Printed Status Revoked Licence No. Name Licence Status AR1747 Robert McKellar 21/01/2014 21/01/2024 21/01/2019 28/09/2018 Training reminder printed Current Units of the status Current Training reminder printed Tr