

## Argyll and Bute Licensing Board

28th February 2018

**VARIATION OF A PREMISES LICENCE****NAME OF PREMISES:** Starfish Restaurant, Castle Street, Tarbert, PA29 6UH**APPLICANT:** Gillian Marion Henderson, 2 Quayhouse Studios, Harbour Street, Tarbert, PA29 6UD**AGENT:** n/a**DESCRIPTION OF PREMISES:**

Restaurant

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

**DETAILS OF VARIATIONS SOUGHT:-**

The applicant wishes to vary the licence as follows:-

- 1) To amend the children and young persons conditions.
- 2) To amend core opening time to 11.00 all days of the week.
- 3) To add Club and other group meetings and outdoor cooking facilities as activities on licence.
- 4) To be able to open at 10.00am for the provision of teas, coffees, soft drinks etc.
- 5) Increase in capacity from 60 to 80 persons.

**CURRENT ACTIVITIES:** Conference facilities; restaurant facilities; bar meals; Receptions including weddings, funerals etc; recorded music; live performances; dance facilities; outdoor drinking facilities.

**CURRENT CHILDREN AND YOUNG PERSONS CONDITIONS:**

TERMS - Only when having a meal until 8.00pm

AGES - All ages

TIMES - 12.00pm to 8.00pm

PARTS - Restaurant area

**PROPOSED CHILDREN AND YOUNG PERSONS CONDITIONS:**

TERMS - Children must be accompanied by an adult over 18. Young persons will be permitted unaccompanied until 11.00pm.

AGES - All ages

TIMES - 11.00am to 11.00pm

PARTS - All public areas

**LSO:** There are no LSO concerns with this application. The premises is a restaurant situated in the village of Tarbert, Loch Fyne.

This application is to amend the operating plan as follows –

Question 2 – On-Sales Hours

Current: 1200 hours to 2300 hours (Mon-Sun)

Proposed: 1100 hours to 0100 hours (Mon-Sun)

Question 5 – Activities

Update to include the following activities within and outwith core hours:

Conference facilities; live performance; outdoor drinking.

Question 5 – Activities outwith core hours explanation

The applicant requests Column 4 at Question 5 be updated to reflect those activities taking place outwith core hours and the reasoning to be explained as follows in the box underneath –

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

Meetings and conference space from 9:00am.

Provision of teas, coffees, snacks and non-alcohol refreshments from 10:00am

Question 5(f) – Additional Activities

The applicant requests this Question updated as follows –

*5(f) Any other activities*

Outdoor cooking facilities (including BBQ)

Outdoor drinking facilities in the external yard. Terminal hour for outdoor drinking 10:00pm for persons 18 years and over and 8:00pm for children and young persons.

Question 6 – Children and Young Person Access – Licensing Standards advocates a standard form of wording to cover children and young person access to on-sales premises as this is the wording that will appear in the operating plan and the statutory access notice. Any standard form should take cognisance of the nature of the operating plan and the wording submitted by the applicant. The following wording, based on the submission by the applicant, is for consideration:

*Terms*

*Children of all ages and young persons allowed access to the premises and outdoor drinking area while in the company of a responsible person aged 18 years or over for the purpose of taking a meal, snack or refreshments. Young persons allowed unaccompanied access between 10:00am and 11:00am.*

*Ages*

*Children of all ages [birth to 15 years]  
Young persons [16 & 17 years]*

*Times*

*Access for children and young persons between 10:00am and 10:00pm. Outdoor drinking area must be vacated by 8:00pm.*

*Parts*

*All public parts of the premises.*

**EHO**

No comments

**POLICE COMMENTS:** No Police objections

**OBJECTIONS/REPRESENTATIONS:** None

**POINTS FOR CONSIDERATION:-**

## ITEM 5E

- 1) To bring forward the commencement of on-sales from 12 noon to 11.00am.
- 2) Live performances to be added as an activity - noise management plan required?
- 3) Outdoor cooking facilities in the external yard area. Potential odour issue.
- 4) Increase in capacity from 60 to 80 persons.
- 5) Terms for access by children and young persons - seeking a terminal hour of 11.00pm.