

Argyll and Bute Licensing Board

24th April 2018

VARIATION OF A PREMISES LICENCE**NAME OF PREMISES:** Tayvallich Inn, Tayvallich, by Lochgilphead, PA31 8PL**APPLICANT:** Lavender Red Ltd., Boatman's Cottage, Kintallen, Tayvallich, Lochgilphead, PA31 8PR**AGENT:** n/a**DESCRIPTION OF PREMISES:**

The premises comprise a single storey detached building operating as a public house premises serving food with some entertainment. Premises are located in Tayvallich, by Lochgilphead in the rural area which comprises mixed domestic and commercial use premises in the surrounding area.

	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	12.30 to 24.00	12.30 to 22.00

DETAILS OF VARIATIONS SOUGHT:-

- 1) To amend the seasonal variation.
- 2) To add a terminal hour of 9.00pm for the new outdoor area.
- 3) To amend the capacity figure from 90 to 120.

- 4) Addition of outdoor drinking and eating facilities in the grassed area adjacent to the premises on the lochside.
- 5) To amend the description of the premises.
- 6) Slight amendment to the children's and young person's conditions,

CURRENT SEASONAL VARIATION:- Additional hours are also being sought for the festive period in conjunction with hours determined annually by the Board as its policy. In addition other such occasions - easter Sunday and so on, are also sought in conjunction with Board policy.

PROPOSED SEASONAL VARIATION:- From 1st November the hours would be amended to reflect that the facility will be closed on a Monday. Hours on Tuesday to Thursday will be 11.00 to 22.00. Friday and Saturday 11.00 to 24.00, Sunday 12.30 to 22.00.

Lochside outdoor drinking and eating facilities will operate from 1st March to 31st October each year.

CURRENT DESCRIPTION:- The premises comprise a single storey detached building operating as a public house premises serving food with some entertainment. Premises are located in Tayvallich, by Lochgilphead in the rural area which comprises mixed domestic and commercial use premises in the surrounding area.

PROPOSED DESCRIPTION:- The premises comprise a single storey detached building operating as a public house premises serving food with some entertainment and outdoor drinking and eating facilities. Premises are located in Tayvallich, by Lochgilphead in the rural area which comprises mixed domestic and commercial use premises in the surrounding area.

CURRENT CHILDRENS AND YOUNG PERSONS CONDITIONS:-

PARTS - Children and young persons will be allowed entry to all public parts of the premises including the bedrooms. They will not be allowed in the staff areas.

PROPOSED CHILDRENS AND YOUNG PERSONS CONDITIONS:-

PARTS - Children and young persons will be allowed entry to all public parts of the premises. They will not be allowed in the staff areas.

LSO: This is an application for a major variation to the operating plan to amend/include the following in the premises licence, operating plan and layout plan.

The applicant has liaised with the LSO during the application process. There are no LSO concerns.

Premises Licence

Update premises description to:

“The premises comprise a single storey detached building operating as a public house premises serving food with some entertainment and outdoor drinking and eating facilities. The premises are located in Tayvallich, by Lochgilphead, in the rural area which comprises mixed domestic and commercial use premises in the surrounding area.”

Operating Plan

Question 4 – Seasonal Variation –

Proposed

“From 1st November the hours would be amended to reflect that the facility will be closed on a Monday. Hours on Tuesday to Thursday will be 11:00am to 10:00pm. Friday and Saturday 11:00am to midnight. Sunday 12:30pm to 10:00pm. Lochside outdoor drinking and eating facilities will operate from 1st March to 31st October each year.”

Board Policy –

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

Question 5 - Addition of Lochside outdoor drinking area -

The proposed outdoor area is located on the shoreline of Loch Sween adjacent to the premises car park. The applicant has been advised regarding seeking permissions from planning and roads departments.

Access to this outdoor area from the premises is across the B8025 main road running through the village. Access will be for adults and children & young persons. The applicant intends that patrons of the premises carry their drinks from the premises to the outdoor area. There will be waiting service for meals only.

The Board may wish to seek assurance under licensing objective “*Securing Public Safety*” in relation to access to Loch Sween and the crossing of the B8025 road. The use of signage at both ends of the area and on the Lochside may assist.

The LSO has submitted photographs of the proposed area for the assistance of the Board.

Question 5(f) – Terminal hour for outdoor area –

The applicant proposes a terminal hour of 9:00pm for those over 18 years of age and for children and young persons.

Question 6 – Children and Young Person Access

Updated to reflect proposed outdoor drinking terminal hour.

Question 7 – Capacity

To increase to 120 to account for additional outdoor area.

EHO

No comments received.

POLICE COMMENTS: A representation letter has been received from Police Scotland dated 29th March 2018. A copy has been attached.

BUILDING/PLANNING COMMENTS: Planning have advised that planning permission would be required for the building operation involved in the construction of the decked area, and for its subsequent use as an outdoor eating/drinking area. Building Standards have advised that as the capacity is being increased from 90 to 120, the current sanitary provisions are not adequate for this increase.

OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:-

- (1) Consider proposed outdoor drinking area which is located across the road from the premises. Terminal hour of 9pm is proposed. Eric Dearie has taken four photos of the area and these are attached.
- (2) Consider letter of representation from Police Scotland.
- (3) Consider comments from Planning and Building Standards.
- (4) Increase in capacity from 90 to 120.
- (5) Consider proposed seasonal variation
- (6) Amendment to the description of the premises