

ARDLUI HOTEL, ARDLUI, ARROCHAR, G83 7EB

LSO

This is an application formed from discussion between the LSO and the Premises Owner over the last few visits. The application is a culmination of proposed changes believed to be the best options to resolve the potential difficulties of adjoining the geographical areas as depicted in the revised layout Plan.

In this respect the LSO has consulted with the applicant's agent and has suggested the following be considered, prior to date of Board meeting.

The Board may be minded to clarify the following

- Has planning permission been considered/sought/granted, for temporary Marquee within car park?
- Has planning permission been considered/sought/granted, for bar within the boat yard?
- Are the owners of the Hotel, the owners of the entire area to be incorporated into the Premises Licence?
- Is there alternative parking when temp structure in use?

Securing Public Safety

Pedestrians/patrons will make their way across the car park, into the beer garden area and walk a path, into an area primarily utilised as a boatyard and storage area, prior to reaching the new outside bar area.

Having visited the area it would appear that a physical barrier would not be practical or possible, however, a visible barrier such as pedestrian pathway (such as those painted within shopping centre car parks) marked on the grounds may assist in securing public safety.

Is the outside area and pathway, boatyard, lit for evening use?

The Board may wish to consider the dangers involving the use of glass in the proposed outside areas and pathways and may wish to impose a condition of toughened glass or plastics only.

Preventing Public Nuisance

The applicant has sought 11:00pm terminal hour for the new outside bar. Board policy suggests that the use of outside areas be restricted to 10:00pm for persons aged 18 years and over and 8:00pm for children and young persons.

The Board may wish to impose the following as a local condition.

Board Policy

"In any outside area, whether or not applicants propose to provide outside seating, tables and other facilities (covered or otherwise), regard should be had to the need to ensure that the use of such areas will not cause disturbance or nuisance to the occupiers of premises in the vicinity.

If no significant issues are identified, the default terminal hour for outside areas will be 10 p.m. but for children and young persons will be 8 p.m. However if any significant issues are identified the Board may decide to impose an earlier terminal hour or to require the implementation of effective management controls in the interests of public order or public safety.

The Board expects an operating plan to include or exclude the use of an outside area. If included, effective management controls, supervision and other measures to ensure that the use of the area by patrons does not have a negative impact on the vicinity should be incorporated within the operating plan.

Depending on the location, nature and size of the premises, licence holders may be required to delineate the outside area by some appropriate means such as a wall, bollards, markers e.g. to distinguish between licensed premises and public areas. Conditions as determined by the Board relating to the specific circumstances of the premises will be attached to any grant; this may include the exclusion of the use of glassware within the area after a specified time each evening.”

Argyll and Bute Licensing Board Statement of licensing policy 2013-2016: Section 15 – “Outside Areas”

Local Conditions

The Board may wish to impose the following local conditions

In line with Board Policy, In any outside area, whether or not applicants propose to provide outside seating, tables and other facilities (covered or otherwise), regard should be had to the need to ensure that the use of such areas will not cause disturbance or nuisance to the occupiers of premises in the vicinity. If no significant issues are identified, the default terminal hour for outside areas will be 10 p.m. but for children and young persons will be 8 p.m.

No use of glass, unless toughened glass, in outside areas.

The applicant has suggested that the terminal hour for the Marquee could be as late as 2:00am in line with the main premises; this may cause issue in terms of late hours noise escape from the marquee and disturbance to residents of the hotel, Caravan Park and any neighbouring residences.

Consultation with the Environmental Health Officer and the development of an approved noise management plan is advised prior to such use.

From an administrative perspective the hours granted for the outside area and the proposed hours, if granted for the temporary structure, could be added to the notes section of the premises Licence and operating plan.

Seasonal Variation; No current variation

Proposed;

The Ardlui Hotel will close from the second Monday in January until 1st March. The Lomond Bar and the lounge bar will operate restricted hours from the second Monday in January until the 1st March namely;

*Fridays 4pm till 1am following morning;
Saturday 11a.m till 1a.m following morning*

Board Policy

“Applicants should be aware that premises are expected to remain open for the licensed hours they apply for and which are granted by the Board. The Board recognises, however, that at certain times of the year demand may diminish to the point where it is no longer economically viable for premises to remain open, particularly on weekday evenings. The Board expects that any premises licence applicants ensure that if they anticipate being affected by this and wish to close early, for example during the winter months, that this is specifically referred to in their operating plan.

Licence holders of existing premises licences who may wish to close early or open later should make application for the appropriate variation to their operating plan. For guidance, the Board is likely to consider the following variation acceptable:

'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.'

Argyll and Bute Licensing Board Statement of licensing policy 2013-2016: Section 8 – "Licensing Hours"

The Board may wish to look favourably in regards to the premises individual requirement.

EHO

The EHO is happy to work with management in the development and implementation of health and safety and noise risk assessments.