

## Argyll and Bute Licensing Board

26th June 2018

**VARIATION OF A PREMISES LICENCE****NAME OF PREMISES:** Ben Cruachan Inn, Lochawe, PA33 1AQ**APPLICANT:** Tracey Peedle, Sabhal Dionach, Cladich, PA33 1AQ**AGENT:** n/a**DESCRIPTION OF PREMISES:**

The premises is located in the village of Lochawe operating as a quality pub/restaurant.

	EXISTING CORE HOURS		PROPOSED CORE HOURS	
	ON SALES	OFF SALES	ON SALES	OFF SALES
Monday	11.00 to 24.00	n/a	11.00 to 23.00	n/a
Tuesday	11.00 to 24.00	n/a	11.00 to 23.00	n/a
Wednesday	11.00 to 24.00	n/a	11.00 to 23.00	n/a
Thursday	11.00 to 24.00	n/a	11.00 to 23.00	n/a
Friday	11.00 to 01.00	n/a	11.00 to 24.00	n/a
Saturday	11.00 to 01.00	n/a	11.00 to 24.00	n/a
Sunday	11.00 to 24.00	n/a	11.00 to 23.00	n/a

**DETAILS OF VARIATIONS SOUGHT:-**

The applicant wishes to vary the licence as follows:-

- 1) To vary the terminal hour to 11pm Sunday to Thursday nights and 12 midnight Friday and Saturday nights.
- 2) To amend the seasonal variation.
- 3) To amend the Children and Young Persons conditions.
- 4) To add dance, theatre, films, quiz nights, craft fairs and community/charity events as activities on the licence.

**CURRENT SEASONAL VARIATION:-** 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 ie. 1st October to 31st March.

**PROPOSED SEASONAL VARIATION:-** 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 non-peak season ie. from 1st October to 31st May.

**CURRENT CHILDREN AND YOUNG PERSONS CONDITIONS:-**

TERMS - Our aim is to provide a family friendly environment. Children and young persons will be allowed access to the premises up until 9.00pm provided that they are accompanied by a responsible adult and are on the premises for the purpose of consuming food.

AGES - Children up to the age of 16 and young people aged 16 and 17 years old will be allowed access to the premises provided that they are accompanied by a responsible adult.

TIMES - From 11.00am until 9.00pm

PARTS - The premises is designed to be open plan and a safe and suitable family friendly venue. There will be a bar area, conservatory dining area and beer garden. Children and young persons will be allowed access to all these areas, but will not be allowed unsupervised around the pool table.

**PROPOSED CHILDREN AND YOUNG PERSON CONDITIONS:-**

TERMS - Our aim is to provide a family friendly environment. Children and young persons will be allowed access to the premises up until 10.00pm indoors and 8.00pm outdoors provided that they are accompanied by a person aged 18 years or over and are on the premises for the purpose of consuming food.

On occasions such as family parties and celebrations, children and young persons will be allowed to remain on the premises until the end of the event.

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

TIMES - From 10am to 10pm.

PARTS - The premises is designed to be open plan and a safe and suitable family friendly venue. There is a bar area; conservatory; dining area; and beer garden. Children and young persons will be allowed access to all these areas, but will not be allowed unsupervised around the pool table.

**CURRENT ACTIVITIES:-** Restaurant facilities; Bar meals; Receptions ; Club or other group meetings; Recorded music; Live performances; Televised sport; Outdoor drinking facilities.

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

**Operating Plan**

Question 2: On Sales Hours - reduce the terminal hour to 11:00pm Sunday to Thursday and to Midnight Friday and Saturday;

Question 4; Seasonal Variation - amend the current seasonal variation from 1<sup>st</sup> October – 31<sup>st</sup> March to 1<sup>st</sup> October - 31<sup>st</sup> May;

Question 5: Activities Outwith Core Hours - The applicant is also looking to include receptions; live performance; recorded music; films and dance facilities to take place within and outwith core licensing hours.

## ITEM 6(b)

Question 5(f): Additional Activities - the applicant is looking to add quiz nights; craft fairs and community/charity events, and allow residents and guests of residents to drink outwith licensed hours in the following terms:

*“At the discretion of the licensee, residents may purchase and consume alcohol with any guest after the terminal hour and until 2:00am.”*

This concession is allowed for under Section 63 of the 2005 Act –

*“...allow alcohol to be consumed on or taken from licensed premises outwith licensed hours if the person consuming or taking the alcohol -*

- resides on the premises, or*
- is a guest of a person who resides there;*
- sell alcohol or allow alcohol to be sold on licensed premises outwith licensed hours if the alcohol is sold to a person who resides on the premises...”*

Question 6: Children and Young Persons Access - extend the terminal hour for children and young person access indoors only from 9:00pm to 10:00pm (no change to outdoor drinking curfew of 8:00pm). The premises is food led; family-friendly; spacious and open-plan.

The applicant has updated Question 6 of the operating plan to include a 10:00pm terminal hour indoors. The remainder of children and young persons’ access statement remains unchanged.

### **EHO**

No comments received.

**POLICE COMMENTS:** No Police objections

**OBJECTIONS/REPRESENTATIONS:**

**POINTS FOR CONSIDERATION:-**

- (1) Reduction in the terminal hour from midnight to 11pm. Monday to Thursday and Sunday and from 1am to midnight Friday and Saturday.
- (2) Amendment of seasonal variation.
- (3) Addition of various activities.
- (4) Extension of terminal hour for children and young persons from 9pm to 10pm.