

Argyll and Bute Licensing Board

26th June 2018

VARIATION OF A PREMISES LICENCE**NAME OF PREMISES:** Lorne Bar, 249 Argyll Street, Dunoon, PA23 7QT**APPLICANT:** Jill English, 49 Alexander Street, Dunoon, PA23 7EN**AGENT:** n/a**DESCRIPTION OF PREMISES:**

The premises are a free standing 2 storey building with a public house on the ground floor and a lettable flat above. The premises consists of a lounge bar and public bar.

	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 02.00	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	11.00 to 01.00	11.00 to 22.00

The applicant wishes to vary the licence as follows:-

- 1) To add markets as an activity within the beer garden two to four times a year.
- 2) To amend the terminal time for children and young persons from 10.00pm to 9.30pm.

CURRENT CHILDREN AND YOUNG PERSONS CONDITIONS:-

TERMS - Children and young persons will only be permitted when accompanied by an adult or attending a private function or present for purposes of a meal.

AGES - Children (0-15 years) and Young Persons (16-17 years)

TIMES - Children and young persons will be permitted until 10.00pm or until close of private event.

PARTS - Children and young persons will be permitted access to all public areas with exception of the immediate bar area.

PROPOSED CHILDREN AND YOUNG PERSONS CONDITIONS:-

TERMS - Children and young persons will only be permitted when accompanied by an adult or attending a private function or present for purposes of a meal.

AGES - Children (0-15 years) and Young Persons (16-17 years)

TIMES - Children and young persons will be permitted until 9.30pm or until close of private event.

PARTS - Children and young persons will be permitted access to all public areas with exception of the immediate bar area.

LSO: This is an application for a variation to the premises licence layout plan to incorporate an additional bar outdoors and within the beer garden area and to add additional activities and amend the operating plan as follows;

Question 5(f): Any other Activities - The use of Beer garden as a market space; to be used two to four times a year:

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:

ITEM 6(e)

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.

Question 6(d): children and young persons; reduce times from 10:00pm to 9:30pm.

EHO

A noise management plan is in place and has been reviewed by the EHO with regard to Market use. The applicant is also aware a separate Market Operators Licence is required.

POLICE COMMENTS: Letter or representation dated 8th June 2018 from Police Scotland.

OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:-

- (1) The addition of markets as an activity, to take place within the beer garden 2 to 4 times a year.
- (2) The incorporation of an additional bar outdoors located within a wooden structure in the beer garden. Terminal hour?
- (3) Reduction of terminal hour for children and young persons from 10pm to 9.30pm.
- (4) Consider letter of representation from Police Scotland.