

APPLICATION FOR VARIATION (MAJOR)

THE CLYDE BAR, 62-64 WEST CLYDE STREET, HELENSBURGH, G84 8AX

LSO

This is an application to add a permanent outside area to the front pavement of the premises. This area has been operated successfully under the auspices of an occasional licence and compliments the outside rear beer garden. An amended layout plan depicting this area has been submitted for approval.

The applicant has prior planning permission for use of this area as seen on the layout Plan

The applicant also seeks to extend the terminal hour of his rear beer Garden from previously granted 9pm till 10pm (see explanation below)

Core times for use of outside areas

The applicant is looking for core times of 11am till 10pm on his new pavement area, which is in line with Board policy and other neighbouring licensed properties.

The applicant also seeks to vary the core times of 11am till 9pm to 11am till 10pm for the rear beer garden.

Due to previous complaints from neighbours and objection raised, the planning department restricted the use of both areas to 9pm and added the after listed conditions relative to the rear area which are now inserted into the premises Licence.

In respect of the beer garden, the following conditions shall apply:-

- 1. The terminal hour of the beer garden will be 9.00pm on all days.*
- 2. The rear access door shall have a self-closing mechanism and shall be operational for as long as the beer garden is in place.*
- 3. The beer garden shall not have amplified music played in this area.*
- 4. A Noise Mitigation Plan must be submitted and approved in writing by the Planning Authority. Thereafter, the noise mitigation measures shall be in place prior to the beer garden coming into operation.*

The conditions have been applied and no further complaint has been received.

Change in circumstances

Notwithstanding the above, the applicant has intimated that the main complainant has since moved from the area, the applicant now owns the property where the complaint stemmed from.

He is confident that no further complaints will be forthcoming and asks the Board to favourably consider agreeing to the 10pm terminal time for both the front and rear outside areas.

The applicant explains that this would bring him into line with neighbouring like premises, who at the moment enjoy the full extent of Board policy till 10pm.

The LSO is aware that separate discussions have being entered into between the applicant and the Planning department.

The Board may wish to seek information from the Planning department on their current position. With specific reference to written planning conditions on both areas, restricting use to 9pm.

EHO

The local EHO is aware of this application. She is happy to assist in the development of a noise management plan and risk assessment in terms of Covid.

The officer confirms that Environmental health has had no complaints in respect to the use of the front area under the terms of an Occasional licence.