

## LSO REPORT - YELLOW HARE, GOTT PIER, ISLE OF TIREE, PA77 6TN

### LSO (Eric Dearie)

It is proposed to change the definition of the premises from off-sales only to on-sales with an off-sales facility, necessitating the following updates to the Operating Plan –

Question 1 - should now read Y at on and off sales

Question 2 (on sales hours) – should now read 1000 – 2200 (Mon-Sun)

Question 3 (off sales hours) – should now read 1000 to 2200 (Mon-Sun)

The proposed start time for on sales of alcohol is 1000. Board policy is 1100. The proposed seasonal variation below (and LSO comment) may go some way to explaining this proposal.

Question 4 (Seasonal Variation) – Should now read Yes:

*“We are based at the ferry terminal and had previously operated all year round, however with the opening last year (2021) of a similar business next door (café), there isn’t sufficient custom to serve both businesses during winter months and so we have opted to CLOSE between October and March. Therefore, we will be operating primarily as a seasonal business with opening hours fluctuating in accordance with ferry times. Most days we will close at 5pm, however we often see last-minute changes to ferries due to inclement weather and on those occasions we open later to accommodate this. As we cannot predict the times of last-minute re-scheduled ferries, we have maximised the licensing times permitted to ensure we may be able to operate when needed.”*

This seasonal statement is not in keeping with Board policy. However, with the island location of the premises and the vagaries of ferry timetables/sailings, the Board may wish to consider this statement as an exception.

Question 5 – add Restaurant Facilities

Question 5 – add Outdoor Drinking

Question 5(f) - add *"Licensing Board's outdoor drinking curfew applies - 10.00pm for persons aged 18 years and over and 8.00pm for children and young persons."*

Question 5(f) – add online gift pack sales

Question 6 – Children and young person access statement agreed with LSO -

#### *Terms*

*Children and young persons will be allowed access to the indoor and outdoor seated areas while accompanied by a person aged 18 years or over, while taking a meal, and unaccompanied while using the shop facilities.*

#### *Ages*

*Children (birth to 15 years)*

*Young persons (16 & 17 years)*

#### *Times*

*1000 – 1000m*

*Access allowed indoors and outdoors until 2200 and 2000 outdoors.*

#### *Parts*

*All public parts of the premises.*

### Question 7 – Capacity

On-Sales – 12 Persons

Off-sales: 4.5m<sup>2</sup>

### Layout Plan

To incorporate outdoor drinking area (see updated plan). This is a fenced-off area accessed by a gate.

#### Description of Premises

The description of the premises on the front of the premises licence should be updated from –

*“Small cafe and gift shop, we have been operating for three years. Serves coffees, teas, soft drinks and home baking for takeaway or sit in. Positioned at the Pier Head. We have 24 hour security cameras recording in the shop and positioned directly at the shelf that would be containing the alcohol.”*

To –

*“The premises is a small cafe and gift shop with on-sales and off-sales of alcohol and indoor & outdoor seating areas, providing coffees, teas, soft drinks, sandwiches and home baking for takeaway or sit-in, and online gift pack sales.”*

(Online alcohol sales are already included in the operating plan).

Finally, and in relation to possible noise nuisance emanating from the outdoor seating area [this Street View link](#) allowing a 360 degree views shows there is no near neighbours to the premises.

#### EHO

From Mark Parry, EHO, Oban:

The application is to allow drinking of alcohol in an outside area of the current café premises. It is proposed that the premises will turn from off-sales only to an ‘on-sales with an off-sales’ premises.

The site for the application is close by to the established working pier at Gott Bay, Scarinish, Isle of Tiree. This is used daily for island residents, tourists and commercial business operators, with associated vehicles and traffic.

The area to be used for the licence is currently fenced in and contained, and is accessed via an entrance gate.

#### Potential Noise Nuisance

As above, the site for the application is close by to the established working pier at Gott Bay, Scarinish, Isle of Tiree. This is used daily for island residents, tourists and commercial business operators, with associated vehicles and traffic. As a result of this activity (associated noise, activity etc.), no nuisance is anticipated from this proposal due to the nature of the surrounding area of the premises.

I have no objections to the application for the amendment.