

Argyll and Bute Licensing Board

25th April 2023

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES: Pennyghael Hotel, Pennyghael, Isle of Mull, PA706HB

APPLICANT: Leader Investments (Scotland) Limited, Unit 8, Baliscate Industrial Estate, Tobermory, Isle of Mull, PA756QA

AGENT: MacArthur Legal, Boswell House, Argyll Square, Oban, PA344BD

DESCRIPTION OF PREMISES:

Six bedroom hotel with three self catering cottages.

	EXISTING CORE HOURS		PROPOSED CORE HOURS	
	ON SALES	OFF SALES	ON SALES	OFF SALES
Monday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00
Tuesday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00
Wednesday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00
Thursday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00
Friday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00
Saturday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00
Sunday	19.00 to 23.00	N/A	11.00 to 01.00	11.00 to 22.00

DETAILS OF VARIATIONS SOUGHT:-

The applicants wish to vary the licence as follows:-

- 1) To change the name of the premises to The Inn at Port Nan Gael.
- 2) To amend the on sales hours.
- 3) To add off sales hours.
- 4) To add a Seasonal Variation.

- 5) To vary the activities within and outwith core hours.
- 6) To add take aways as an activity on the licence.
- 7) To amend the wording in the Children and Young Persons conditions.

CURRENT ACTIVITIES: Accommodation; Restaurant facilities; Bar meals; Celebrations; Funerals; Club or other group meetings; Recorded music and live performances.

PROPOSED SEASONAL VARIATION: During the months of October to April the premises will be permitted to open one hour later than the commencement of core hours and will be permitted to close on hour prior to the end of core hours.

CURRENT CHILDREN AND YOUNG PERSON'S CONDITIONS:-

TERMS – Young persons and children are only allowed entry if they are resident of the hotel and if they are accompanied by an adult. Non-residents children are allowed entry if they are dining in the restaurant and accompanied by an adult.

AGES – Children of all ages are allowed access providing they are resident of the hotel. Only children aged over 14 years will be allowed if they are dining at the restaurant as part of a family group and accompanied by an adult.

TIMES – Resident children are allowed access at all times providing they are accompanied by parents or responsible adult. Non - resident children are only allowed access if they are dining at the restaurant when accompanied by an adult.

PARTS – Resident children have access to the accommodation area plus the dining room/lounge area. If in the lounge/dining area they must be accompanied by a parent/responsible adult. Non resident children only have access to the lounge/dining area if they are dining in the restaurant.

PROPOSED CHILDREN AND YOUNG PERSON'S CONDITIONS:-

TIMES – Children and young persons are only allowed entry if they are residents of the hotel and if they are accompanied by an adult. Children and young persons who are non-residents are allowed entry if they are dining in the restaurant and are accompanied by an adult or to purchase takeaway food.

AGES – Children and young persons of all ages are allowed access providing they are resident of the hotel. Only children aged over 14 years will be allowed if they are dining at the restaurant as part of a family group and accompanied by an adult. Children and young persons of all ages will be permitted entry to purchase takeaway food.

TIMES – Resident children and young persons of the hotel are allowed access at all times provided they are accompanied by an adult. Non resident children and young persons are only allowed access if they are dining at the restaurant when accompanied by an adult or purchasing takeaway food.

PARTS - Resident children and young persons have access to the accommodation area plus the dining room/lounge area. If in the lounge/dining area they must be accompanied by a parent/responsible adult. Non resident children and young persons only have access to the lounge/dining area if they are dining in the restaurant. Children and young person's purchasing takeaway food will be permitted in the reception area.

ITEM 5(j)

LSO: The premises are a six bedroom Hotel with three self-catering cottages and situated on the A849, Craignure to Bunessan road, in a very rural area. This variation comprises –

Premises Name

Change name of premises on front of premises licence from Pennyghael Hotel to The Inn at Port Na Gael.

Operating Plan

Question 1(c): request on and off sales recorded.

Question 2 (on sales hours): change from 1900-2300 (Mon-Sun) to 1100-0100 (Mon-Sun)

Question 3 (off sales hours): currently no off sales. Add 1100-2200 (Mon-Sun).

Question 4 (Seasonal Variation): change No to Yes and remove N/A and add –

“During the months of October to April the premises will be permitted to open one hour later than the commencement of core hours and will be permitted to close one hour prior to the end of core hours.”

Question 5(a) (restaurant): Yes in each column

Question 5(c):

Recorded music - Yes in each column

Live Performance – Yes in columns 2&3 only

Dance Facilities – No in each column

Theatre - No in each column

Films - No in each column

Gaming - No in each column

Indoor/Outdoor Sports - No in each column

Televised Sport – Yes in each column

Question 5(d) Outdoor Drinking - No in each column

Question 5: Box below activities:

“The restaurant will be open to provide restaurant facilities prior to core hours from 0800. The premises will also provide take away food outwith and during core hours to meet seasonal demand. Live music and televised sports will be available at those times.”

Question 6(c): Children & Young Persons: in Ages, the reference to Children shall include Young Persons.

EHO

Environmental Health aware of this application.

POLICE COMMENTS: No Police objections.

OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:

- (1)Extend the on-sales hours (currently 7p.m. to 11p.m. Monday to Sunday) to 11a.m. to 1a.m. Monday to Sunday,
- (2)Addition of off-sales hours 11a.m. to 10p.m. Monday to Sunday
- (3)Change of name
- (4)Addition of a seasonal variation
- (5)The addition of takeaways as an activity
- (6)Amendment of the terms for children and young persons
- (7)To vary the activities within and outwith core hours