

Argyll and Bute Licensing Board

7th September 2023

VARIATION OF A PREMISES LICENCE

NAME OF PREMISES: Manor House Hotel, Gallanach Road, Oban, PA34 4LS

APPLICANT: Muir Ban Limited, c/o Murray Associates, Business First, Paisley, PA12FB

AGENT: MacArthur Legal, Boswell House, Argyll Square, Oban, PA34 4BD

DESCRIPTION OF PREMISES:

Country house hotel standing in its own grounds comprising two storey building providing accommodation and meals.

	EXISTING CORE HOURS		PROPOSED CORE HOURS	
	ON SALES	OFF SALES	ON SALES	OFF SALES
Monday	11.00 to 24.00	11.00 to 22.00	11.00 to 24.00	11.00 to 22.00
Tuesday	11.00 to 24.00	11.00 to 22.00	11.00 to 24.00	11.00 to 22.00
Wednesday	11.00 to 24.00	11.00 to 22.00	11.00 to 24.00	11.00 to 22.00
Thursday	11.00 to 24.00	11.00 to 22.00	11.00 to 24.00	11.00 to 22.00
Friday	11.00 to 01.00	11.00 to 22.00	11.00 to 01.00	11.00 to 22.00
Saturday	11.00 to 01.00	11.00 to 22.00	11.00 to 01.00	11.00 to 22.00
Sunday	11.00 to 24.00	12.30 to 22.00	11.00 to 24.00	11.00 to 22.00

DETAILS OF VARIATIONS SOUGHT:-

The applicants wish to vary the licence as follows:-

- 1) To amend the commencement time for off-sales hours to 11.00am.
- 2) To delete the seasonal variation.
- 3) To add recorded music and outdoor drinking as activities on the licence.
- 4) To amend the conditions for Children and Young Persons.
- 5) Change of layout plan to show the outdoor drinking area.

ITEM 6(b)

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

CURRENT SEASONAL VARIATION: From the beginning of the second week of December to 23rd December in any year the applicant would seek to serve alcohol with meals until 1.00am on Monday to Thursday inclusive to cater for the well established party celebrations. The premises will be closed on Christmas Day and Boxing Day in each year. Alcohol will be served until 1.00am on Hogmanay and New Year's Day in any year.

CURRENT CHILDREN & YOUNG PERSON CONDITIONS:-

TERMS – Children 0-16 will be allowed in the premises only if accompanied by an adult. Young persons aged 16 & 17 may be on the premises unaccompanied for taking a meal but no alcohol will be served to them.

AGES – Non resident children 0-17 will be allowed on the premises if accompanied by an adult. Children must be aged over 12 if resident in the hotel as the hotel does not provide accommodation for children under the age of 12.

TIMES – Times for non resident children - 12 noon to 3.00pm and 6.00pm to 10.00pm unless they are attending a function in which case they may stay until the end of the function if accompanied by a responsible adult. Resident children 12+ may be on the premises at all times accompanied by an adult.

PARTS - Non resident children are allowed access to the reception/hall, lounge, restaurant, bar, toilets and terraced area during meal times. Resident children are permitted to all areas.

PROPOSED CHILDREN & YOUNG PERSON CONDITIONS:-

TERMS – Children and young persons shall be permitted entry if they are resident in the hotel and if they are accompanied by an adult. Non-resident children and young persons are allowed entry if they are dining and accompanied by an adult. Non-resident young persons aged 16 and 17 are allowed entry to the premises unaccompanied if they are dining but no alcohol will be served.

AGES – Children and young persons of all ages are allowed access provided they are resident in the hotel. Non-resident children and young persons under 16 will be allowed in the premises if they are dining and accompanied by an adult. Young persons aged 16 and 17 are allowed entry to the premises unaccompanied if they are dining.

TIMES – Children and young persons are allowed access at all times if they are resident in the hotel and if they are accompanied by an adult. Non-resident children and young persons under 16 will only be allowed access if they are dining when accompanied by an adult. Young persons aged 16 and 17 are allowed access unaccompanied if they are dining.

PARTS - Resident children and young persons have access to the accommodation area plus the dining room, lounge and bar. If in the dining room or bar they must be accompanied by an adult. Non-resident children and young persons have access to the dining room and bar if they are dining in the premises.

LSO: [The premises](#) is a Country house hotel standing in its own grounds and located about 1 mile South of Oban Town Centre, comprising a two storey building providing accommodation and meals.

This application is as follows:

Operating Plan

Question 3 - Off-Sales – amend start time from 1230 to 1100 on Sunday.

Question 4 – Seasonal Variation - No longer required. Remove ‘Yes’ and text in box.

Question 5(c) – Activities – amend recorded music column 3 from ‘No’ to ‘Yes’.

Question 5(d) – Activities – amend outdoor drinking, columns 1 & 2, from ‘No’ to ‘Yes’.

The box below Question 5 in the operating plan shall read as shown in the draft operating plan. The Board may wish to amend the last paragraph in the box to read –

“Outdoor drinking will be permitted within those outdoor areas lying within the red boundary lines of the location plan, and access will be restricted to 2200 for persons aged 18 years and over and 2000 for children and young persons.”

Question 6 – Children and Young Person Access – existing provisions to be deleted and replaced with the wording in the draft operating plan. The Board may wish to add the following text in the ‘Times’ box to include the 2000 curfew for outdoor drinking –

“Access to outdoor drinking area will cease at 2000.”

Layout Plan

The applicant requests the submitted location plan be incorporated into the licence. The applicant also proposes that outdoor drinking be permitted within the outside areas shown within the red boundary lines on the location plan and the current layout to remain unamended. Given the size of the proposed outdoor area within the red line of the location plan the Board may wish an explanation of why the whole area (and not a part thereof) is required for outdoor drinking.

EHO

EHO aware of application.

POLICE COMMENTS: No Police objections.

OBJECTIONS/REPRESENTATIONS: None

POINTS FOR CONSIDERATION:

- (1) Extend the commencement hour for off-sales on a Sunday from 12.30p.m. to 11a.m.
- (2) Deletion of the seasonal variation
- (3) The addition of recorded music and outdoor drinking as activities
- (4) Amendment of the conditions for children and young persons. Clarification of times required for non-resident children and young persons (currently 10p.m.)

(5) Clarification of the extent of the outdoor drinking area