

Seaview
FIONNPHORT
Isle of Mull
Argyll
PA66 6BL

The Clerk to the Argyll & Bute Licensing Board
Argyll & Bute Council HQ
KILMORY
Lochgilphead
Argyll
PA31 8RT

29th October 2023

Dear Clerk to the Board,

ARGYLL & BUTE
LICENSING (SCOTLAND) ACT 2005
APPLICATION FOR VARIATION (MAJOR)
THE KEEL ROW, FIONNPHORT, ISLE OF MULL, PA66 6BL
ON AND OFF SALES

With reference to the above I acknowledge receipt of your notification letter dated 16th October, received 10 days later on 24th October 2023.

We are writing as next-door neighbours to The Keel Row as well as resident members of the Creich Hall Community Association, and former officers (Treasurer & Booking Secretary of Creich Hall Management Committee) to make representations in relation to the above application.

The Keel Row Consortium Ltd is a commercial enterprise (private limited company) with 29 shareholders, including three directors, one of whom is the founding director and also Chairman of the Audit Committee at Argyll & Bute Council, Mr Martin Caldwell. The first and foremost purpose and priority of such a commercial enterprise is to make a profit for the benefit of their shareholders. Some of the shareholders live within the village, others live elsewhere on the Isle of Mull and some do not live on the island or within the county boundaries of Argyll & Bute.

Creich Hall Community Association is a not-for-profit charity (Charity number *SC013193*) registered with OSCR and established in 1971 whose purpose is: **Prevention or relief of poverty, advancement of arts, heritage, culture or science through the rental from Argyll & Bute Council, and maintenance of Creich Community Hall by the appointed Management Committee.** The premises are owned by Argyll & Bute Council and leased by the Creich Hall Community Association. The members of Creich Hall Community Associations are the residents of the parishes of Fionnphort and the neighbouring hamlets of Creich, Kintra, Catchean, Pottie, Fidden and Knockvologan.

The income generated for the upkeep and maintenance of Creich Community Hall comes from a number of activities that the facilities of Creich Community Hall provide. These include ceilidhs, film showings, lectures, workshops, theatrical events, children's parties, fund raising events for other organisations such as the local Parent Teacher Association, Gaelic classes, Pilates classes, along with the provision of bunkhouse style accommodation and catering facilities. Creich Hall have been providing these facilities since 1971 and have been an integral part of the village/community hub for many decades **CONTRARY**

to the application by The Keel Row under Section 3(b) which states: ***Fionnphort does not have premises locally within the village to enable local groups to meet in comfort.***

Creich Community Hall has already been affected by The Keel Row's commercial decision to host a children's Halloween party on their licensed premises – between 6-8pm on Friday 27th October. Creich Community Hall was already booked by the local PTA to host such an event as they have done over many years. However, because of The Keel Row's decision to run a similar event at the same time and date, the children's party at Creich Hall was subsequently cancelled and Creich Hall lost income.

It is also important to note that a significant amount of funding from various sources was provided in recent years to build an all-purpose inclusive footpath from Fionnphort village to Creich Community Hall in order to connect these two community hubs, and encourage residents to walk to/from Creich Community Hall to support and use the facilities the hall provided. Significant efforts were also made by residents of the area (ourselves included) including granting permission to build over private land to facilitate the footpath was built fulfilling government objectives including active travel.

I am sure further information especially the financial aspect (which A&B Council contributed towards) of the building of the footpath can be provided by Mr. Caldwell as his involvement in the Creich Hall path project was pivotal.

The existence of Creich Community Hall depends very much on the continuing use and support as described above. Should Creich Hall be forced to close due to the reduction in income, then the impact that this will have on the local village, residents and wider community will have far reaching consequences.

Under the Licensing (Scotland) Act 2005, one of the licensing objectives is protecting and improving public health. If the variation to the licence applied for by The Keel Row Consortium is granted then indirectly this will have a negative impact on protecting and improving public health as the likelihood is that Creich Hall will become unsustainable, will no longer exist and a whole variety of activities become unavailable.

Our representations are based on looking at the bigger picture of a small, rural island village population and protecting their needs versus the commercial interests of a consortium of shareholders in a private limited company wishing to capitalise their profits for the benefit of their shareholders.

We respectfully request that the application to vary the licence is denied.

Yours faithfully,

Mr J G Noddings and Mrs J Noddings