

ITEM 11 – APPLICATION FOR PROVISIONAL PREMISES LICENCE

Premises: Café on the Loch, the Gateway Centre, Ben Lomond Way, Loch Lomond Shores, Balloch G83 8QL.

Applicant: Lomond Enterprises Limited, Radliegh House, 1 Golf Road, Clarkston, Glasgow G76 7HU.

The following documents relating to the application are included as appendices as detailed below:-

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Appendix 2	Application Form (with detailed Operating Plans)	Pages 69 - 82
Appendix 3	Letter of Representation from West Dunbartonshire Community Health & Care Partnership	Page 83

THE LICENSING (SCOTLAND) ACT 2005

APPENDIX 1

Application for Provisional Premises Licences**REPRESENTATION****Ref:** WDLBPREM/0278**Name and Address of Premises:** Café on the Loch, The Gateway Centre, Ben Lomond Way, Loch Lomond Shores, Balloch G83 8QL**Applicant/Licence Holder:** Lomond Enterprises Limited, Radleigh House, 1 Golf Road, Clarkston, Glasgow G76 7HU**Proposed Application:** The premises will operate as a café/gift shop with a children's soft play area located within. They will operate with on sale hours of Sunday to Thursday 11 am to 12 midnight, Friday and Saturday 11 am to 1 am and off-sales will be Monday to Sunday 10 am to 10 pm. The premises will provide restaurant/bar meal facilities, live performances and dance facilities and will offer outside drinking. Children and Young persons will be permitted access to 8 pm only and the capacity of the premises will be 400 people.**Police Authority Comments:** No Objections**Fire Authority Comments:** No Objections**Regulatory Services Comments:****LSO**

This application may be contrary to the Board's Overprovision Policy. The Board may wish to be satisfied that access for children without taking a meal or attending a function is for the purposes of tourism as per paragraph 18.2.1.d of the Licensing Policy.

Community Council Comments: No comments received**Health Board Comments:** Representation**Access Panel:** No comments received**Additional Comments:** No comments received

Section 50 Certificates:

Planning – Received 24.02.14

Decision:

APPLICATION FOR ~~PREMISES LICENCE~~/PROVISIONAL PREMISES
LICENCE*

*Delete as appropriate

Licensing (Scotland) Act 2005, section 20

APPLICANT INFORMATION *Licensing (Scotland) Act 2005, section 20(1)*

Question 1

Name, address and postcode of premises to be licensed.

Café on the Loch, The Gateway Centre, Ben Lomond Way, Loch Lomond
Shores, Balloch G83 8QL

Question 2

Particulars of applicant

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.*

N/A

2(b) *Where applicant is a partnership, please provide full name, and postal address of partnership.*

N/A

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

Lomond Enterprises Limited, Radleigh House, 1 Golf Road, Clarkston, Glasgow
G76 7HU
Company No. SC 455032

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

N/A

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.**

Cameron Codona, 1 Crossbow Gardens, Stoneymeadow Road, High Blantyre
G72 9UR

Date of Birth: 04.06.1963 Place of Birth: Glasgow

* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

Question 3*Previous applications*

- 3 Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises? **YES/NO***

If YES – provide full details

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Question 4*Previous convictions*

4 Has the applicant or any connected person ever been convicted of a relevant or foreign offence (1)	YES/NO*
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*If YES – provide full details

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

<i>Name & position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Conv't</i>	<i>Offence</i>	<i>Penalty</i>

(1) In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

DESCRIPTION OF PREMISES *Licensing (Scotland) Act 2005, section 20(2)(a)***Question 5**

- 5 *Description of premises (where application is submitted by a members' club, please also complete question 6)*

The premises operate as a Café / Gift shop with a Children's Soft Play Area located within. They are located within the Loch Lomond Shores Development at Balloch which is a commercial development.

Question 6

- 6 *To be completed by members' clubs only*

<i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i>	<i>YES/NO*</i>
<i>*Delete as appropriate</i>	

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature * (see note below)

Date20 February 2014

CapacitySolicitor..... ~~APPLICANT~~/AGENT (delete as appropriate)

Telephone number and email address of signatory:

<i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i>	
<i>Operating plan</i>	✓
<i>Layout plan</i>	✓
<i>Planning certificate</i>	✓
<i>Building standards certificate</i>	
<i>Food hygiene certificate</i>	

*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

For use by the Licensing Board only	
Application checklist	
Date received	
Fee amount	
Receipt number	
Received by: (INITIALS)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

For use by the Licensing Board only	
If application is for a premises licence	
Documents required	
Operating plan	
Layout plan	
Planning certificate	
Building standards certificate	
Food hygiene certificate	

For use by the Licensing Board only	
If application is for a provisional premises licence	
Documents required	
Provisional planning certificate	
Operating plan	
Layout plan	

OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

<i>I(a) Will alcohol be sold for consumption solely ON the premises?</i>	YES /NO*
<i>I(b) Will alcohol be sold for consumption solely OFF the premises?</i>	YES /NO*
<i>I(c) Will alcohol be sold for consumption both ON and OFF the premises?</i>	YES/ NO *
<i>*Delete as appropriate</i>	

Question 2

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION ON PREMISES

<i>Day</i>	<i>ON Consumption</i>	
	<i>Opening time</i>	<i>Terminal hour</i>
<i>Monday</i>	11.00 a.m.	12.00 Midnight
<i>Tuesday</i>	11.00 a.m.	12.00 Midnight
<i>Wednesday</i>	11.00 a.m.	12.00 Midnight
<i>Thursday</i>	11.00 a.m.	12.00 Midnight
<i>Friday</i>	11.00 a.m.	1.00 a.m.
<i>Saturday</i>	11.00 a.m.	1.00 a.m.
<i>Sunday</i>	11.00 a.m.	12.00 Midnight

Question 3

STATEMENT OF CORE TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION OFF PREMISES

Day	OFF Consumption	
	Opening time	Terminal hour
Monday	10.00 a.m.	10.00 p.m.
Tuesday	10.00 a.m.	10.00 p.m.
Wednesday	10.00 a.m.	10.00 p.m.
Thursday	10.00 a.m.	10.00 p.m.
Friday	10.00 a.m.	10.00 p.m.
Saturday	10.00 a.m.	10.00 p.m.
Sunday	10.00 a.m.	10.00 p.m.

Question 4

SEASONAL VARIATIONS

Does the applicant intend to operate according to seasonal demand	YES/NO*

*If YES – provide details

During the Festive period, as defined by West Dunbartonshire Licensing Board, the premises may operate additional hours for the sale of alcohol in accordance with the said Board's policy in that regard.

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

COL. 1 5(a) Activity	COL. 2 Please confirm YES/NO	COL. 3 To be provided during core licensed hours - please confirm YES/NO	COL. 4 Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Accommodation	NO	N/A	N/A
Conference facilities	NO	NO	NO
Restaurant facilities	YES	YES	YES
Bar meals	YES	YES	YES
5(b) Activity Social functions including:	Please confirm YES/NO	To be provided during core licensed hours - please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Receptions including Weddings, funerals, birthdays, retirements etc.	YES	YES	YES
Club or other group meetings etc.	YES	YES	YES
5(c) Activity Entertainment including:	Please confirm YES/NO	To be provided during core licensed hours - please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Recorded music - see 5(g)	YES	YES	YES
Live performances see 5(g)	YES	YES	NO
Dance facilities	YES	YES	NO
Theatre	NO	NO	NO
Films	NO	NO	NO

Gaming	NO	NO	NO
Indoor/outdoor sports	NO	NO	NO
Televised sport	NO	NO	NO
5(d) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Outdoor drinking facilities	YES	YES	YES
5(e) Activity	Please confirm YES/NO	To be provided during core licensed hours – please confirm YES/NO	Where activities are also to be provided outwith core licensed hours please confirm YES/NO
Adult entertainment	NO	NO	NO

Where you have answered YES in respect of any entry in column 4 above, please provide further details below.

The premises will operate as a Café and Gift shop and will open prior to the commencement of the core licensed hours for the sale and provision of Teas, Coffees, Food etc and for the sale of their gift shop items.

5(f) any other activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below.

The activities to which the answer YES has been given in column 4 above may be provided during the normal trading hours of the premises.

5(g) Late night premises opening after 1.00am

Where you have confirmed that you are providing live or recorded music, will the decibel level exceed 85dB?	YES/NO N/A
When fully occupied, are there likely to be more customers standing than seated?	YES/NO*
*Delete as appropriate	N/A

Question 6 (On-sales only)

CHILDREN AND YOUNG PERSONS

6(a)	When alcohol is being sold for consumption on the premises will children or young persons be allowed entry?	YES/NO*
	*Delete as appropriate	

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

Children and Young Persons will be permitted access to the premises but must have vacated the premises by 8.00 p.m.

6(c) *Provide statement regarding the AGES of children or young persons to be allowed entry*

There will be no restriction on the ages of Children and Young Persons.

6(d) *Provide statement regarding the TIMES during which children and young persons will be allowed entry*

Children and Young Persons must have vacated the premises by 8.00 p.m

6(e) *Provide statement regarding the PARTS of the premises to which children and young persons will be allowed entry*

Children and Young Persons will be allowed access to all public parts of the premises

Question 7

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CAPACITY OF PREMISES

What is the proposed capacity of the premises to which this application relates?

8.4 Square Metres

400 PERSONS*

*FORM AMENDED AS PER EMAIL FROM A.MACTUSE ON 26/2/14. PETDL C405

Question 8

PREMISES MANAGER (NOTE: not required where application is for grant of provisional premises licence)

Personal details

8(a) *Name*

8(b) *Date of birth*

8(c) *Contact address*

8(d) *Email address*

<i>Date of issue</i>	<i>Name of Licensing Board issuing</i>	<i>Reference no. of personal licence</i>

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this operating plan are true to the best of my knowledge and belief.

Signature * (see note below)

Date20 February 2014.....

CapacitySolicitor ~~APPLICANT~~/AGENT (delete as appropriate).

Telephone number and email address of signatory

*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

PLEASE NOTE CONFIDENTIAL PAGES HAVE BEEN REMOVED

