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WIGTOWN DIVISIONAL LICENSING BOARD

Meeting of Wednesday 13th March 2024
at 10.30am – this meeting will be held online.

Andrew Giusti (Convener) – Stranraer and the Rhins;
Ben Dashper – Stranraer and the Rhins;
Katie Hagmann – Mid Galloway and Wigtown West;
Chrissie Hill – Stranraer and the Rhins;
David Inglis – Mid Galloway and Wigtown West;
Jackie McCamon – Mid Galloway and Wigtown West;

VLAD VALIENTE
Clerk to the Licensing Board

Wigtown Divisional Licensing Board

Meeting of Wednesday 13th March 2024
at 10.30am - this meeting will be held online.

1. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**
2. **DECLARATIONS OF INTEREST**
3. **MINUTE OF PREVIOUS MEETING OF 11 DECEMBER 2023** 3 - 6
FOR APPROVAL.
4. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARDS** 7 - 8
5. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR MINOR VARIATIONS (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARDS** 9 - 12
6. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR TRANSFER OF PREMISES LICENCE (GRANTED UNDER DELEGATED AUTHORITY) - REPORT BY THE CLERK TO THE BOARDS** 13 - 14
7. **LICENSING (SCOTLAND) ACT 2005: SURRENDER OF PREMISES LICENCE - LODGE STRANRAER KILWINNING NO 208 MASONIC CLUB - REPORT BY THE CLERK TO THE BOARDS** 15 - 16
8. **LICENSING (SCOTLAND) ACT 2005: SURRENDER OF PREMISES LICENCE - A & R MCCULLOCH & SONS - REPORT BY THE CLERK TO THE BOARDS** 17 - 18
9. **LICENSING (SCOTLAND) ACT 2005: SECTION 83(7)A PERSONAL LICENCE HOLDER: MICHELLE OFFORD - REPORT BY THE CLERK TO THE BOARDS** 19 - 22
10. **LICENSING (SCOTLAND) ACT 2005: APPLICATION FOR VARIATION OF PREMISES LICENCE - ALDOURAN LOUNGE, DRUMLOCHART CARAVAN PARK, LESWALT - REPORT BY THE CLERK TO THE BOARDS** 23 - 30

Next Meeting Date: Wednesday 22 May 2024

WIGTOWN DIVISIONAL LICENSING BOARD

**Minute of Meeting of Monday 11 December 2023
at 2.00pm – hybrid meeting**

MEMBERS PRESENT

Andrew Giusti (Convener) - Stranraer and the Rhins
Ben Dashper - Stranraer and the Rhins
Katie Hagmann - Mid Galloway and Wigtown West

APOLOGIES

Chrissie Hill - Stranraer and the Rhins
David Inglis - Mid Galloway and Wigtown West
Jackie McCamon - Mid Galloway and Wigtown West

IN ATTENDANCE

Julia Farroll - Licensing Standards Officer
Inspector Hugh McCombe - Police Scotland
Caroline Treanor - Solicitor

VLAD VALIENTE
Clerk to the Licensing Boards

1. **SEDERUNT, APOLOGIES AND CONVENER'S APPROVAL OF MEMBERS' REMOTE PARTICIPATION**

3 Members present and 3 apologies. The Convener approved Members' remote participation at the Hearing.

2. **DECLARATIONS OF INTEREST**

NONE

3. **MINUTE OF MEETING OF 8 NOVEMBER 2023**

Decision

AGREED

4. **LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS (GRANTED UNDER DELEGATED AUTHORITY) – REPORT BY THE CLERK TO THE BOARDS**

Decision

NOTED that the following Occasional Licences and Extended Hours had been granted under delegated powers during the period from 26 October 2023 until 30 November 2023:

Occasional Licences : Applied for by a Personal Licence Holder

Total number issued 23

Occasional Licences : Applied for by a Premises Licence Holder

Total number issued 1

Occasional Licences : Applied for by a Voluntary Organisation

Total number issued 6

Extended Hours

Total number issued 3

5. LICENSING (SCOTLAND) ACT 2005: APPLICATIONS FOR MINOR VARIATIONS (GRANTED UNDER DELEGATED AUTHORITY) – REPORT BY THE CLERK TO THE BOARDS

Decision

NOTED that the applications in the **APPENDIX** were granted under delegated powers.

6. LICENSING (SCOTLAND) ACT 2005: UPDATE ON VARIATION OF PREMISES LICENCE – CHASERS, STRANRAER - REPORT BY THE CLERK TO THE BOARDS

Decision

Having considered the updated reports received from Police Scotland and the LSO, Members **AGREED** to **GRANT** the application in respect of the outdoor drinking area subject to the conditions attached during the operation of the 6 month trial period, those conditions being as follows:

- The terminal hour of the outside drinking area shall be 6pm 7 days per week;
- all outside furniture shall be removed inside immediately following 6pm each day;
- no music amplified or otherwise is to be played in the outside drinking area at any time;
- the outside drinking area must be contained by a suitable barrier structure which shall be removed immediately following 6pm each day.

7. LICENSING (SCOTLAND) ACT 2005: REVIEW OF PERSONAL LICENCE – RICHARD GRAHAM - REPORT BY THE CLERK TO THE BOARDS

Decision

NOTED that Police Scotland had confirmed in writing in advance of the meeting that there were no further grounds to request a review so this item had been withdrawn from the agenda and no decision was required.

APPENDIX

APPLICATIONS FOR MINOR VARIATION OF PREMISES LICENCES GRANTED UNDER DELEGATED AUTHORITY

<u>Application No. 1 – 0128W</u>	
Name & Address of Applicant or Agent	Stephen Alexander Donnan Creebridge House Hotel Newton Stewart DG8 6NP
Name & Address of Premises	Creebridge House Hotel Newton Stewart DG8 6NP
Nature of variation	Change to layout plan – addition of bar, food preparation area with pizza oven and toilets in outside drinking area
Effective Date of Minor Variation	6 November 2023

<u>Application No. 2 – 0079W</u>	
Name & Address of Applicant or Agent	Albert Lee Lee Parks Estates Limited Saddlebrook Park Warden Bay Road Leysdown Sheerness KENT ME12 4LT
Name & Address of Premises	The Headland Bar Burrowhead Holiday Village Isle of Whithorn Newton Stewart DG8 8JB
Nature of variation	Change of DPM to Frances Stafford
Effective Date of Minor Variation	10 November 2023

**DUMFRIES AND GALLOWAY LICENSING BOARDS
WIGTOWN DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 SECTION 56 AND 68
APPLICATIONS FOR OCCASIONAL LICENCES AND EXTENDED HOURS
GRANTED UNDER DELEGATED AUTHORITY**

For the information of the Licensing Board, during the period from 30 November 2023 to 4 March 2024 the following Occasional Licences and Extended Hours were granted:

Occasional Licences : Applied for by a Personal Licence Holder

Total number issued 43

Occasional Licences : Applied for by a Premises Licence Holder

Total number issued 1

Occasional Licences : Applied for by a Voluntary Organisation

Total number issued 11

Extended Hours

Total number issued 5

Aideen Sloan
Senior Licensing Officer
Licensing

Ext: 63363

Date of Report: 5 March 2024

Vlad Valiente
Clerk to the Licensing Boards
Dumfries and Galloway Council
Kirkbank House
English Street
Dumfries DG1 2HS

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
WIGTOWN DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 : SECTION 29
APPLICATIONS FOR MINOR VARIATION OF PREMISES LICENCES
GRANTED UNDER DELEGATED AUTHORITY**

<u>Application No. 1 – 214W</u>	
Name & Address of Applicant or Agent	Philip Holmes 27 Murrayfield Terrace Bannockburn Stirling FK7 8NG
Name & Address of Premises	The Portpatrick Brewery 24 Main Street Kirkcolm DG9 0NN
Nature of variation	Change of address of DPM
Effective Date of Minor Variation	13 December 2023

<u>Application No. 2 – 41W</u>	
Name & Address of Applicant or Agent	Wigtownshire County Golf Club Glenluce Newton Stewart DG8 0NN
Name & Address of Premises	Wigtownshire County Golf Club Glenluce Newton Stewart DG8 0NN
Nature of variation	Change of DPM to Lindsay Maclean
Effective Date of Minor Variation	13 December 2023

Agenda Item 5

PUBLIC

<u>Application No. 3 – 86W</u>	
Name & Address of Applicant or Agent	Penny Petroleum (Scotland) Limited Old Station House Powburn Alnwick Northumberland NE66 4HU
Name & Address of Premises	Penny Petroleum - Inch Services Inch Services Castle Kennedy DG9 8RY
Nature of variation	Change of DPM to Kathleen McKie
Effective Date of Minor Variation	20 December 2023

<u>Application No. 4 – 56W</u>	
Name & Address of Applicant or Agent	Sainsbury's SL Limited 33 Holborn London EC1N 2HT
Name & Address of Premises	Sainsbury's Supermarket Goods Lane Newton Stewart DG8 6EH
Nature of variation	Change of DPM to Ryan McCall Heron
Effective Date of Minor Variation	12 January 2024

<u>Application No. 5 – 35W</u>	
Name & Address of Applicant or Agent	Summermist Limited Fourth Floor 78 St James's Street London SW1A 1JB
Name & Address of Premises	Portpatrick Hotel Heugh Road Portpatrick Stranraer DG9 8TQ
Nature of variation	Change of DPM to Gaylelouise Lochery
Effective Date of Minor Variation	22 January 2024

<u>Application No. 6 – 62W</u>	
Name & Address of Applicant or Agent	Steam Packet Hotel Company Limited Tonderghie House Whithorn Newton Stewart DG8 8HZ
Name & Address of Premises	Steam Packet Hotel Harbour Row Isle of Whithorn Newton Stewart DG8 8LL
Nature of variation	Change of DPM to Alastair Scoular
Effective Date of Minor Variation	25 January 2024

<u>Application No. 7 – 116W</u>	
Name & Address of Applicant or Agent	Co-operative Group Food Limited 1 Angel Square Manchester M60 0AG
Name & Address of Premises	Co-op 30 North Main Street Wigtown DG8 9HJ
Nature of variation	Change of DPM to David McCulloch
Effective Date of Minor Variation	6 February 2024

<u>Application No. 8 – 9W</u>	
Name & Address of Applicant or Agent	McCulloch Stores Limited 1 Dashwood Square Newton Stewart DG8 6EQ
Name & Address of Premises	McCulloch Stores 109 Fairhurst Road Stranraer DG9 7QA
Nature of variation	Appointment of DPM Alexis McCulloch
Effective Date of Minor Variation	19 February 2024

Agenda Item 5

PUBLIC

Aideen Sloan
Senior Licensing Officer
Licensing

Ext: 63363

Date of Report: 5 March 2024

Vlad Valiente
Clerk to the Licensing Boards
Dumfries and Galloway Council
Kirkbank House
English Street
Dumfries DG1 2HS

**DUMFRIES AND GALLOWAY LICENSING BOARDS
WIGTOWN DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005
APPLICATIONS FOR TRANSFER OF PREMISES LICENCES
GRANTED UNDER DELEGATED AUTHORITY**

<u>Application No 1 – Ref 124W – SECTION 33</u>	
Name & Address of Applicant or Agent	Connors Restaurant 1 South Crescent Portpatrick DG9 8JR
Name & Address of Transferee or Agent	Richard Gardiner 65 Cameron Street Dunfermline KY12 8DP
Name & Address of Premises	Connors 1 South Crescent Portpatrick DG9 8JR
Effective Date of Transfer	8 February 2024

<u>Application No 2 – Ref 35W – SECTION 33</u>	
Name & Address of Applicant or Agent	Summermist Limited Fourth Floor 78 St James's Street London SW1A 1JB
Name & Address of Transferee or Agent	Seacare Compass Portpatrick Ltd Ground Floor 4 Broadgate Oldham Broadway Business Park Chadderton Oldham OL9 9XA
Name & Address of Premises	Portpatrick Hotel Heugh Road Portpatrick Stranraer DG9 8TQ
Effective Date of Transfer	12 February 2024

<u>Application No 3 – Ref 38W – SECTION 33</u>	
Name & Address of Applicant or Agent	Charles A Dutton & Fiona M Dutton Merchants House Main Street Cairnryan DG9 8QX
Name & Address of Transferee or Agent	Fiona Mary Dutton The Merchants House Main Street Cairnryan Stranraer DG9 8QX
Name & Address of Premises	Merchants House Main Street Cairnryan DG9 8QX
Effective Date of Transfer	8 February 2024

Aideen Sloan
Senior Licensing Officer
Licensing

Ext: 63363

Date of Report: 5 March 2024

Vlad Valiente
Clerk to the Licensing Boards
Dumfries and Galloway Council
Kirkbank House
English Street
Dumfries DG1 2HS

**DUMFRIES AND GALLOWAY LICENSING BOARDS
WIGTOWN DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 : SECTION 28(6)
SURRENDER OF PREMISES LICENCE**

<u>Ref 0142W</u>	
Name & Address of Licence Holder	Lodge Stranraer Kilwinning No. 208 Masonic Club Masonic Hall Sun Street Stranraer DG9 7JL
Name & Address of Premises	Lodge Stranraer Kilwinning No. 208 Masonic Club Masonic Hall Sun Street Stranraer DG9 7JL
Date Licence Surrendered	11 January 2024

Aideen Sloan
Senior Licensing Officer
Licensing

Ext: 63363

Date of Report: 5 March 2024

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries DG1 2HS

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
WIGTOWN DIVISIONAL LICENSING BOARD**

**THE LICENSING (SCOTLAND) ACT 2005 : SECTION 28(6)
SURRENDER OF PREMISES LICENCE**

<u>Ref 0189W</u>	
Name & Address of Licence Holder	Alexis McCulloch 17 Nursery Avenue Stranraer DG9 0BS
Name & Address of Premises	A & R McCulloch & Sons 118 John Simpson Drive Stranraer DG9 7PW
Date Licence Surrendered	19 February 2024

Aideen Sloan
Senior Licensing Officer
Licensing

Ext: 63363

Date of Report: 5 March 2024

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries DG1 2HS

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
WIGTOWN DIVISIONAL LICENSING BOARD**

**LICENSING (SCOTLAND) ACT 2005 (THE ACT): SECTION 83(7A)
PERSONAL LICENCE HOLDER: MICHELLE OFFORD**

1. Reason for Report

To ask the Board to consider, in terms of its powers under section 83(7A) to the Act, whether it wishes to hold a Hearing or take no further action following receipt of a notice from the Chief Constable in respect of personal licence holder Michelle Offord.

2. Background

2.1 It will be recalled that a Personal Licence issued by a Licensing Board authorises the licence holder to supervise or authorise the sale of alcohol.

2.2 On 26 October 2023, the Chief Constable, in terms of his power under section 83 (4)(b) to the Act, submitted to the Board a notice advising that Michelle Offord has been convicted of a relevant offence (**Appendix**).

2.3 When the Board receives from the Chief Constable a section 83(4)(b) notice which does not include a section 83(5) recommendation (no such recommendation is contained within the police notice in this instance), then the Board has two options in law. It must either:

- (a) hold a hearing, or
- (b) decide to take no further action in relation to the conviction.

2.4 If the Board holds a hearing, then it *may*:

- (a) having regard to the conviction and
- (b) after giving the licence holder concerned, and the Chief Constable an opportunity to be heard, and
- (c) if satisfied that it is necessary to do so for the purposes of any of the licensing objectives, make an order:

- revoking the licence;
- suspending the licence for a maximum 6 month period as the Board considers appropriate or
- endorsing the licence.

2.5 It is also open to the Board to take no further action.

2.6 Where, at the hearing, the Licensing Board are satisfied that, having regard to the licensing objectives, the licence holder is not a fit and proper person to be the holder of a personal licence, the Board must make an order revoking the licence.

3. Recommendations

- 3.1 Members are asked to decide whether they wish to:
- 3.2 hold a Hearing or
- 3.3 take no further action.
- 3.4 If they decide to hold a Hearing, then make an order:
- 3.5 revoking the licence
- 3.6 suspending the licence (maximum 6 month period)
- 3.7 endorsing the licence or
- 3.8 make no order and therefore take no further action and
- 3.9 note that if a determination is made that the licence holder is not a fit and proper person to be the holder of a licence then in law the licence must be revoked.

Vlad Valiente
Clerk to the Licensing Boards
Kirkbank House
English Street
Dumfries DG1 2HS

5 March 2024

OFFICIAL SENSITIVE: POLICE AND PARTNERS

APPENDIX

26 October 2023

Your Ref: DG/W/0590

Our Ref: AR/COS

Legal and Licensing Manager
 Wigtown Divisional Licensing
 Kirkbank
 Council Offices
 English Street
 Dumfries
 DG1 2HS



**POLICE
 SCOTLAND**

Keeping people safe

John Cairns
 T/Chief Superintendent

Dumfries & Galloway Division
 Police Headquarters
 Cornwall Mount
 Dumfries
 DG1 1PZ

Dear Sir/Madam,

**LICENSING (SCOTLAND) ACT 2005 - PERSONAL LICENCE HOLDER DUTY
 TO NOTIFY LICENSING BOARD OF CONVICTIONS
 MICHELLE OFFORD, 06/09/1972
 FISHERMANS COTTAGE, GRIMSHAW TERRACE, CREETOWN, DG8 7BY.**

I refer to the above and your correspondence. In terms of Section 83(4)(b) of the Licensing (Scotland) Act 2005, I have to advise you that MICHELLE OFFORD has been convicted of the following relevant offence(s).

Date	Court	Crime/Offence	Disposal
10/10/2023	South Northumbria Magistrates	Driving a Vehicle with Excess Alcohol	Guilty – bailed to reappear on 24/11/2023

As this offence was committed out with Police Scotland I am unable to furnish any further details relating to this conviction.

In terms of Section 83(5)(a)&(b) of the Licensing (Scotland) Act 2005, and having regard to the crime prevention and securing public safety objectives, Police Scotland recommends that the Licensing Board take appropriate action regards Ms Offord's personal license status.

Yours faithfully

John Cairns
 T/Chief Superintendent

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**DUMFRIES AND GALLOWAY LICENSING BOARDS
WIGTOWN DIVISIONAL LICENSING BOARD**

LICENSING (SCOTLAND) ACT 2005 (THE ACT): SECTION 30

APPLICATION: MAJOR VARIATION

PREMISES: ALDOURAN LODGE, DRUMLOCHART CARAVAN PARK, LESWALT

PREMISES LICENCE HOLDER: DRUMLOCHART HOLIDAY PARK LTD

1. Reason for Report

As this is a major variation application, the Board is statutorily obliged to hold a Hearing.

2. Background

2.1 Members are asked to consider the application received on 8 February 2024 and detailed in **Appendix 1** to this report.

2.2 As is required by law, a copy of the application was sent to:

- Police Scotland
- The Local Authority
- Scottish Fire and Rescue Service (SFRS)
- NHS Dumfries and Galloway

2.2.1 There are no notifiable neighbours and the local Community Council is currently disestablished so cannot be consulted.

2.3 In accordance with statutory advertising requirements, the Board is required to display a notice on its website for a period of 21 days and the applicant is also required to display a site notice at or near the premises and in a place and height where it can conveniently be read by the public for the same period.

2.4 Notice of the application was published on the Board's webpage from **8 February to 1 March 2024**.

2.5 Site notice display dates are **8 February to 1 March 2024**.

2.6 The signed Confirmation of Site notice has been received.

3. Objections and Representations

3.1 The last date for objections/representations was **29 February 2024**.

3.2 No objections/representations have been received.

4. Responses

The following responses have been received:

- LSO report: **Appendix 2**
- Building Standards: no adverse comments
- Police Scotland: no adverse comment
- Planning: comment **Appendix 3**

5. Determining the application

5.1 As democratically elected individuals, ultimate decision-making power rests with elected Members and not Council Officers. Whilst Officers can give advice, they cannot clearly make decisions at Hearings. Ultimately, the Board must come to a lawful decision and take into account the following:

5.2 The key consideration in reaching a decision is to determine whether or not a ground of refusal applies.

- (i) If no ground of refusal applies, then the Board must GRANT the application.
- (ii) If any ground of refusal applies, the Board must REFUSE the application.

5.3 The section 30(5) grounds for refusal are:-

- The application must be refused under
 - Section 32(2) (where the Board has refused a premises licence variation application in respect of the same premises and seeking the same variation and this is a subsequent application received within 12 months of the refusal)
 - Section 64(2) (where the application is for 24 hour operation and exceptional circumstances justifying the sale of a 24 hour operation have not been proven)
 - Section 65(3) (the application is for off sales outwith 10am to 10pm)

- Licensing Objectives ground of refusal

The Licensing Board considers that the granting of the application would be inconsistent with one or more of the licensing objectives (preventing crime and disorder/securing public safety/preventing public nuisance/protecting and improving public health/protecting children and young persons from harm)

- Unsuitability of the premises

That having regard to:-

- a) the nature of the activities proposed to be carried on in the premises
- b) the location, character and condition of the premises; and
- c) the persons likely to frequent the premises

the Board considers that the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation.

- Overprovision

That the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of the same or similar description as the subject premises (taking account of the variation), in the locality.

6. Recommendation

Members are asked to either GRANT or REFUSE the application.

Vlad Valiente
Clerk to the Licensing Boards
Dumfries and Galloway Council
Kirkbank House
English Street
Dumfries DG1 2HS
5 March 2024

Wigtown Divisional Licensing Board
Application for Variation of Premises Licence

Applicant	Drumlochard Holiday Park Ltd Armillan Castle Holiday Park Ltd Armillan Castle Holiday Park Girvan KA26 0HP
Address of Premises	Aldouran Lounge Drumlochard Caravan Park Leswalt Stranraer DG9 0RN
Nature of Variation	<p><u>Variation to Operating Plan</u></p> <p>(2) <u>Change of core hours to:</u></p> <ul style="list-style-type: none"> • Monday to Wednesday 11am to 12.30am • Thursday to Saturday 11am to 1am • Sunday 12.30pm to 1am <p>(3) Add off-sales Monday to Sunday 11am to 10pm</p> <p>(4) Remove seasonal operating months March – October as premises open all year round</p> <p>(4) Add festive on-sale hours 24, 25, 26, 31 December and 1 January to 2am</p> <p><u>Add the following within core hours:</u></p> <ul style="list-style-type: none"> • Club/group meetings (5b) • Dance (5c) • Indoor/outdoor sport (5c) • Televised sport (5c) • Outdoor drinking (5d) <p>(5f) <u>Any other activities</u> – replace current activities with: “Quiz, charity and fun events, fancy dress nights, hot & cold bar snacks”</p> <p><u>Children and Young Persons</u></p> <p>(6d) Change times for admittance to “All times” (6e) Change parts for admittance to “All public parts”</p> <p>(7) Add Outdoor capacity – 56 persons (no change to indoor capacity)</p> <p><u>Variation to Layout Plan</u> Addition of 2 outdoor drinking areas – capacity 56 persons</p>
Last Date for Objections/Representations	Thursday 29 February 2024

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**DUMFRIES & GALLOWAY LICENSING BOARDS
LICENSING STANDARDS OFFICER REPORT**

**LICENSING (SCOTLAND) ACT 2005: SECTION 45
APPLICATION FOR VARIATION OF PREMISES LICENCE
ALDOURAN LOUNGE, DRUMLOCHART CARAVAN PARK, LESWALT DG9
0RN
APPLICANT: DRUMLOCHART HOLIDAY PARK LTD**

1. The above application relates to changes to the Operating plan and Layout plan to allow for more flexibility and trading hours at the premises.

1.1 Due to the location of the lounge bar, it is generally only frequented by caravan site residents.

1.2 The DPM has been managing the premises since February 2018 which currently operates as a drinks-only lounge with an internal capacity of 175 persons.

2. Current licensed hours and proposed hours are as follows:

Current Hours

Monday to Wednesday 11am to 11.30pm
Thursday to Saturday 11am to 12midnight
Sunday 12.30pm to 11.30pm
No off-sales

Proposed Hours

Monday to Wednesday 11am to 12.30am
Thursday to Saturday 11am to 1am
Sunday 12.30pm to 1am

Festive on-sale hours 24, 25, 26, 31 December and 1 January to 2am
Off-sales Monday to Sunday 11am to 10pm

2.1 The proposed hours are all within policy of the Wigtown Divisional Licensing Board.

2.2 Currently the seasonal operation for the lounge is for March-October. The applicant seeks to remove this seasonal trading. The main reason for this is to allow the premises to open over the festive period for site residents.

3. The application also involves changes to the times and parts of the premises re the admittance of children and young person.

3.1 It is proposed children and young persons can be in all parts of the premises at all times, accompanied by an adult. The licence currently states under 18s must leave the lounge bar area at 9pm and are only permitted into the family room and games room after this time.

3.2 Board Members will be aware of its current policy which states-

Minimum criteria to be adhered to in pursuance of the Protecting Children and Young Persons from Harm Licensing Objective: -

- *Children must be accompanied by a responsible adult at all times; -*
- *Young Persons must be accompanied by a responsible adult from 10pm onwards;*
- *Children and Young Persons must vacate the premises by 10pm; - However, if there is a bona fide function/organised event to which Children and Young Persons are invited and its terminal hour is later than 10pm, then Children and Young Persons may vacate the premises by that later terminal hour for the purposes of the function/event only.*
- The above is without prejudice to those Children and Young Persons who reside within licensed premises.(eg: a hotel with a premises licence

3.3 Given that the lounge bar is located on a holiday park and operated responsibly, I would be supportive of the requested amendment.

4. Two outdoor drinking areas have been developed to the rear and side of the premises with a total capacity of 56 persons.

4.1 The remaining changes to the Operating plan are consistent with activities typically provided in licensed premises.

5. The application was advertised on the Board's website page from 8 February 2024. Simultaneously, a notice must be displayed at the premises.

5.1 A check was made on 15 February 2024, at which time the notice was correctly displayed.

Julia Farroll
Licensing Standards Officer
19 February 2024

Internal Memo

Planning and Environment – Planning and Building Standards

14.02.2024

To: Licensing Department

Your ref:

Drop Point:

From: Lindsey Cameron, Team Leader, Planning
Applications, English Street, Dumfries, DG1
2HS

Our ref: LC2990

**LICENSING (SCOTLAND) ACT 2005, SECTION 29
APPLICATION FOR VARIATION OF PREMISES LICENCE – APPLICATION FOR
VARIATION OTHER THAN MINOR VARIATION
PREMISES: ALDOURAN LOUNGE, DRUMLOCHART CARAVAN PARK,
LESWALT, STRANRAER
APPLICANT: DRUMLOCHART HOLIDAY PARK LTD**

I refer to your e-mail dated 09 February 2024 with attached appendix regarding the above and due to the addition of the two outdoor seating areas to form beer garden and this would constitute a change of use at the above location and a Planning Application would be required.

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