

The Highland Licensing Board

Meeting – 12 August 2014

Agenda Item	12.1
Report No	HLB/107/14

Application for a major variation of Provisional Premises Licence under the Licensing (Scotland) Act 2005

Corran Inn, Onich, Fort William, PH33 6SE

Report by the Clerk to the Licensing Board

Summary

This Report relates to an application for a major variation of a Provisional Premises Licence in respect of the Corran Inn, Onich, Fort William, PH33 6SE.

A Provisional Premises Licence was granted by the Licensing Board on 14 May 2013.

1.0 Description of Premises

The proposed premises will replace the former Corran Ferry Hotel which has now been demolished. The premises will be situated within a rural residential area, overlooking the Corran Ferry and will consist of a two storey building.

The ground floor will comprise of a restaurant, bar, kitchen, toilets, store and cellar and outside decking area.

The first floor will comprise of a restaurant, baby changing area, office and boiler room.

The layout plan of the Provisional Premises Licence previously included accommodation however the applicant is seeking to remove accommodation from the existing layout/operating plans. The description of the premises has been amended to reflect this change.

1.1 Current Core Operating Hours

The operating hours which have been approved by the Board in respect of the provisional premises licence are as follows:

On-Sale:

Monday to Thursday: 1100 hours to 2400 hours
Friday & Saturday: 1100 hours to 0100 hours
Sunday: 1200 hours to 2400 hours

Off-Sale:

Monday to Sunday: 1100 hours to 2200 hours

2.0 Summary of Variation Application

2.1 Variation Sought

The applicant seeks to vary the premises licence as follows:-

- (i) Revision to Operating Plan including :
 - Removal of accommodation as an activity within the Operating Plan
 - Increase in capacity from 60 to 80 persons
 - Revision to children's policy
- (ii) Revision to layout plan to include proposed changes
- (iii) Revision of description of premises to reflect new layout of premises.

3.0 Background

3.1 On 24 June 2014 the Licensing Board received an application for a major variation of a Provisional Premises Licence from John Mann per Agents, Inn Business Scotland Ltd.

3.2 The application was publicised during the period 8 July 2014 until 29 July 2014 and confirmation that the site notice was displayed has been received.

3.3 In accordance with standard procedure, Police Scotland, Highlands & Islands Fire & Rescue Service, the Council's Community Services (Environmental Health), Planning, Building Standards were consulted on the application.

Notification of the application was also sent to NHS Highland and the local Community Council.

3.4 No objections or representations have been received in respect of the application.

4.0 Legislation

4.1 The Licensing Board must in considering and determining the application, consider whether any grounds of refusal apply and if none of them applies, the Board must grant the application.

Relevant grounds of refusal may be: -

1. the grant of the application will be inconsistent with one or more of the licensing objectives;
2. having regard to; (i) the nature of the activities carried on or proposed to be carried on in the subject premises, (ii) the location character and condition of the premises, and (iii) the persons likely to frequent the premises, if the Board considers the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation;

3. having regard to the number and capacity of (i) licensed premises of the same or similar description as the subject premises (taking account of the proposed variation), in the locality in which the subject premises are situated, the Board considers that, if the application were to be granted, there would, as a result, be over provision of licensed premises or licensed premises of that description in the locality.

4.2 The Board has only power to either grant the application and make a variation of the conditions to which the licence is subject or, refuse the application.

If the Board refuses the application, the Board must specify the ground for refusal and if the ground for refusal is in relation to a licensing objective, the Board must specify the objective in question.

5.0 Licensing Standards Officer

The LSO has provided the following comments:-

- the revised Children's Policy accords with Board Policy;
- the layout plan submitted complies with the required specifications;
- the premises would appear to be suitable for use for the sale of alcohol in accordance with the proposed variation;
- there would not appear to be any matter contained within the application that is inconsistent with the licensing objectives.

6.0 HLB Local Policies

The following policies are relevant to the application:-

- (i) Highland Licensing Board Policy Statement 2013-16
- (ii) Highland Licensing Board Equality Strategy

7.0 Conditions

7.1 Mandatory Conditions

If the application is approved the Mandatory Conditions set out in Schedule 3 of the Act will apply.

7.2 Local Conditions

It is not considered necessary to attach any additional Local Conditions.

Recommendation

The Board is invited to determine the above application.

Designation: Clerk to the Licensing Board

Reference: HC/RSL/1656

Date: 30 July 2014

Author: AHM:ET/JT

Background Papers: The Licensing (Scotland) Act 2005/Application Form.