

HIGHLAND LICENSING BOARD

During the coronavirus period, the Licensing (Scotland) Act 2005 has been temporarily amended to allow Board meetings to take place remotely.

Minute of the meeting of the Highland Licensing Board held remotely on Tuesday 22 June 2021 at 1.00 pm.

Present:

Mrs L Macdonald (Convener), Mr D Macpherson (from item 7), Mr A Sinclair and Mr C Smith.

In Attendance:

Mr I Meredith, Clerk to the Board
Ms R Banfro, Solicitor – Regulatory Services
Mr G Cameron, Licensing Standards Officer
Mr I Cox, Licensing Standards Officer
Mrs A MacArthur, Administrative Assistant

Also In Attendance:

Sergeant K Duncan, Police Scotland

Item 9.2 – Mr N Hassard, (agent) and Mr G Stevenson (applicant)

Item 10.4 – Ms J Riddell (applicant)

Item 10.6 - Mr D Hossack, (agent) and Ms K Grant (manager)

Briefing on Protocol for Webcasting of Meetings

The Convener advised the Board that the meeting would be filmed and broadcast over the internet on the Highland Council website and would be archived and available for viewing for 12 months.

1. Apologies for Absence Leisgeulan

Apologies for absence were intimated on behalf of Mr Andrew Jarvie, Mr John Bruce and Ms Emma Knox.

2. Declarations of Interest Foillseachaidhean Com-pàirt.

There were no declarations of interest.

3. Confirmation of minutes Dearbhadh a' gheàrr-chunntais

There was submitted for confirmation as a correct record the minute of the meeting of the Highland Licensing Board held on 11 May 2021.

The Minutes were held as read and **APPROVED**.

**4. Licensing (Scotland) Act 2005
Licences granted under delegated powers
Achd Ceadachd (Alba) 2005
Ceadachdan a bhuilicheadh fo ùghdarras air a Thiomnadh**

There had been circulated **Report No HLB/043/21** detailing licences which had been granted under delegated powers by the Clerk to the Board during the period 29 April 2021 to 9 June 2021.

The Board **NOTED** the report.

**5. Licensing (Scotland) Act 2005
Occasional licences and extended hours
granted under Delegated Powers
Achd Ceadachd (Alba) 2005
Ceadachdan Corra-uair agus uairean sìnte a bhuilicheadh fo ùghdarras air a thiomnadh**

There had been circulated **Report No HLB/044/21** detailing occasional licences and extended hours applications which had been granted under delegated powers by the Clerk to the Board during the period 29 April 2021 to 9 June 2021.

The Board **NOTED** the report.

**6. The Highland Licensing Board Functions Report 2020-21
Aithisg Dhreuchdan Bhliadhna Bòrd Ceadachd na Gàidhealtachd 2019/20**

There had been circulated **Report No HLB/045/21** inviting the Board to approve the Board's fourth annual Functions Report for publication in accordance with section 9A of the Licensing (Scotland) Act 2005.

The Convener referred to the extensive volume of work undertaken over the period of the report and asked that the Board's appreciation be conveyed to the licensing staff for all their good work over the year.

The Board **APPROVED** the draft functions report for publication on the Highland Council website in accordance with section 9A of the Licensing (Scotland) Act 2005.

**7. Review proposals – non-payment of annual premises licence fees
Moladh ath-sgrùdaidh – neo-phàigheadh chisean ceadachd togalaich bliadhna**

There had been circulated **Report No HLB/046/21** by the Clerk inviting the Board to here from the stated licence holders and then to consider and determine the premises licence review proposal for each of the premises.

The Solicitor provided an update to the report during which he confirmed the premises licence fees had been paid for all licences except Jimmy Chung's Restaurant.

The Board **AGREED** to **REVOKE** the premises licence for Jimmy Chungs, 27 Bank Street, Inverness, under section 39 of the Licensing (Scotland) Act 2005 on the grounds of non-payment of their annual premises licence fee.

8. Licensing (Scotland) Act 2005
Applications for new premises licences
Achd na Ceadachd (Alba) 2005
Larrtas airson cheadachdan thogalaichean ura

8.1 Ref: HC/RSL/1976

Applicant: Blackstream Limited /ta Balmacara Mains Guest House

Premises: Balmacara Mains Guest House, (Blackstream Limited), Glaick, Balmacara, IV40 8DN

Type: On sales

There had been circulated **Report No HLB/047/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a premises licence subject to the mandatory conditions.

8.2 Ref: HC/RSL/1965

Applicant: Lady Helen Grant

Premises: Glendessary Lodge, Glendessary Estate, Spean Bridge, PH34 4EL

Type: On-sales

There had been circulated **Report No HLB/048/21** by the Clerk which invited the Board to determine the application.

The Clerk provided a verbal update to the report, confirmation having been received from the Scottish and Fire and Rescue Service that, on receipt of the relevant checklist, they had now withdrawn their objection to the grant of the application.

The Board **AGREED** to **GRANT** the application for a premises licence subject to the mandatory conditions

9. Licensing (Scotland) Act 2005
Applications for provisional premises licences
Achd Ceadachd (Alba) 2005
larrtas airson ceadachdan thogalaichean le cumha

9.1 Ref: HC/INBS/660

Applicant: Axcel Hospitality (Inverness) Ltd, 2nd Floor, 29 Dingwall Road, Croydon, CR0 2NB

Premises: Riverness Hotel, 83 Church Street, Inverness, IV1 1ES

Type: On and off sales

There had been circulated **Report No HLB/049/21** by the Clerk which invited the Board to determine the application.

A written submission had been provided and circulated to Members prior to the meeting.

The Board **AGREED** to **GRANT** the application for provisional premises licence subject to the mandatory conditions, and additional local conditions (a), (b) and (c), and the following special conditions:

- On any occasion that the premises are permitted to remain open after 0100 hours a person who is the holder of a Scottish personal licence shall be present in a supervisory capacity on the premises; and
- On any occasion that the premises are permitted to remain open after 0100 hours a person who is the holder of a current first aid certificate shall be present on the premises until the premises close.

9.2 Ref: HC/INBS/661

Applicant: Mor-Rioghain Ltd, 267 Clifton Road, Aberdeen, AB24 4HJ

Premises: Highlander, 44-46 Church Street, Inverness, IV1 1EH

Type: On and off sales

There had been circulated **Report No HLB/050/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a provisional premises licence subject to the mandatory conditions, and additional local conditions (a), (b), and (c), as well as the following special conditions:

- On any occasion that the premises are permitted to be open after 0100hrs, a member of staff who is the holder of a Scottish Personal Licence shall be present on the premises; and
- On any occasion that the premises are permitted to be open after 0100hrs, a member of staff who is the holder of a current First Aid certificate shall be present on the premises.

9.3 Ref: HC/CSR/1972

Applicant: North Coast Distillers Ltd t/a North Point Distillery

Premises: North Point Distillery, Murkle House, Forss Business and Energy Park, Thurso

Type: On and off sales

There had been circulated **Report No HLB/051/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a provisional premises licence subject to the mandatory conditions only.

**10. Licensing (Scotland) Act 2005
Applications for variation (major) to premises licences
Achd Ceadachd (Alba) 2005
Iarrtasan airson Caochladh (Mòr) a thaobh ceadachdan thogalaichean**

10.1 Ref: HC/INBS/159

Applicant: Co-operative Group Food Ltd

Premises: Co-operative, 4 Cradlehall Court, Caulfield Road, Inverness, IV2 5WD

Type: off sales

There had been circulated **Report No HLB/052/21** by the Clerk which invited the Board to determine the application.

A written submission had been provided and circulated to Members prior to the meeting.

The Board **AGREED** to **GRANT** the application for a major variation subject to the mandatory conditions only.

10.2 Ref: HC/INBS/120

Applicant: Co-operative Group Food Ltd

Premises: Co-operative, Station Road, Beauly, IV4 7EH

Type: off sales

There had been circulated **Report No HLB/053/21** by the Clerk which invited the Board to determine the application.

A written submission had been provided and circulated to Members prior to the meeting.

The Board **AGREED** to **GRANT** the application for a major variation subject to the mandatory conditions only.

10.3 Ref: HC/INBS/46

Applicant: Co-operative Group Food Ltd

Premises: Co-operative, Telford Street, Inverness, IV3 5LS

Type: off sales

There had been circulated **Report No HLB/054/21** by the Clerk which invited the Board to determine the application.

A written submission had been provided and circulated to Members prior to the meeting.

The Board **AGREED** to **GRANT** the application for a major variation subject to the mandatory conditions only.

10.4 Ref: HC/INBS/101

Applicant: Joanna Marie Riddell

Premises: The Lodge, Station Road, Dalwhinnie, PH19 1AB

Type: on and off sales

There had been circulated **Report No HLB/055/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a major variation subject to the mandatory conditions, and local conditions (l), (m), (n)(i), (o), and (p).

10.5 Ref: HC/INBS/601

Applicant: The Malt Bar Rooms Limited

Premises: The Malt Room 34 Church Street, Inverness, IV1 1RH

Type: on and off sales

There had been circulated **Report No HLB/056/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a major variation subject to the mandatory conditions, local condition (g), and the following special conditions:

- On any occasion that the premises are permitted to be open after 0100hrs, a member of staff who is the holder of a Scottish Personal Licence shall be present on the premises; and
- On any occasion that the premises are permitted to be open after 0100hrs, a member of staff who is the holder of a current First Aid certificate shall be present on the premises.

10.6 Ref: HC/INBS/89

Applicant: Diageo Scotland Limited

Premises: Dalwhinnie Distillery, Dalwhinnie, Inverness-shire, PH19 1AB

Type: on and off sales

There had been circulated **Report No HLB/057/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a major variation subject to the mandatory conditions and existing local conditions.

10.7 Ref: HC/CSR/0291

Applicant: Oykel Bridge Hotel Limited

Premises: Oykel Bridge Hotel, Rosehall, by Lairg, Sutherland, IV27 4HE

Type: On and off sales

There had been circulated **Report No HLB/058/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a major variation subject to the mandatory conditions, existing local conditions, and additional local condition (m).

10.8 Ref: HC/RSL/0437

Applicant: Bamon Limited

Premises: Crofter Bar & Restaurant, 7-11 High Street, Fort William, PH33 6DH

Type: On and off sales

There had been circulated **Report No HLB/059/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a major variation subject to the mandatory conditions, existing local conditions, and additional local conditions (l), (m), (n)(i), (o), (p), and (q).

10.9 Ref: HC/CSR/1725

Applicant: The Co-operative Group Food Limited

Premises: Co-op, Unit 1, Elder Lane, Conon Bridge

Type: On and off sales

There had been circulated **Report No HLB/060/21** by the Clerk which invited the Board to determine the application.

A written submission had been provided and circulated to Members prior to the meeting.

The Board **AGREED** to **GRANT** the application for a major variation subject to the mandatory conditions only.

10.10 Ref: HC/CSR/0710

Applicant: Poolewe Limited

Premises: Poolewe Hotel, Main Street, Poolewe

Type: On and off sales

There had been circulated **Report No HLB/061/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a major variation subject to the mandatory conditions and local conditions (m), (n)(i), (o), and (p), and the following special condition:

- The Licence Holder shall be responsible for ensuring the integrity of boundary fencing to prevent customers exiting the premises via neighbouring property.

**11. The Licensing (Scotland) Act 2005 Section 43
Notice of conviction
Achd Cheadachd (Alba) 2005, Earrann 43
Brath dìtidh**

11.1 Licence Holder: Tesco Stores Ltd

Premises:

- Tesco Extra – 1 A Eastfield Way, Inverness
- Tesco Store – Milton of Inshes, Inverness
- Tesco Superstore – Ness Side, Dores Rd, Inverness
- Tesco Metro – Aviemore
- Tesco Metro – Tomnahurich Street, Inverness
- Tesco Store – Ullapool
- Tesco Store – Dingwall
- Tesco Metro – Fort William
- Tesco Store – Wick Airport
- Tesco Store – Thurso
- Tesco Superstore - Tain

Police Scotland had given notice of a relevant conviction by letter of 19 May 2021 which had been circulated. Police Scotland have made no recommendation that the licences be varied, suspended or revoked.

The Committee **AGREED** to take no action.

**12. Surrender of premises licence
Gèilleadh ceadachd togalaich**

**12.1 Premises: Deli Craft, 61 High Street, Fort William
Licence Holder: Andrea L Woodward**

The Board **NOTED** the above Premises Licences have been surrendered in terms of Section 28(5)(f).

The meeting ended at 1.55 pm.
