

The Highland Licensing Board

Meeting – 20 June 2022

Agenda Item	10.4
Report No	HLB/052/22

Application for the grant of a premises licence under the Licensing (Scotland) Act 2005

Uircheann Rìgh, 28 Anaheilt, Strontian, PH36 4JA

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for the grant of a premises licence in respect of Uircheann Rìgh, 28 Anaheilt, Strontian, PH36 4JA.

1.0 Description of premises

1.1 The Uircheann Rìgh is situated in the village of Strontian and consists of two guest bedrooms with en-suite facilities. The common guest areas include a guest lounge, the entrance hall and outdoor seating area. Within the entrance hall there will be an honesty bar offering a small selection of local whisky, gin and craft beer.

2.0 Operating hours

2.1 The applicant seeks the following **on sale** hours:

On sales:

Monday to Sunday: 1500 hours to 2230 hours

3.0 Background

3.1 On 28 April 2022 the Licensing Board received an application for the grant of a premises licence from Nigel and Julie Traynor.

The application was accompanied by the necessary section 50 certification in terms of Planning, Building Standards and Food Hygiene, together with a Disabled Access Statement.

3.2 The application was publicised during the period 4 May 2022 until 25 May 2022 and confirmation that the site notice was displayed has been received.

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

- 3.4 Notification of the application was also sent to NHS Highland and the local Community Council.
- 3.5 Further to this publication and consultation process, no timeous objections or representations have been received.
- 3.6 The applicant must nevertheless be given the opportunity to be heard before the Board determines the application and has accordingly been invited to the meeting. The applicant has been advised of the hearings procedure which may also be viewed via the following link:

https://www.highland.gov.uk/downloads/file/6399/licensing_hearings_procedure/licensing_board

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 are: -

1. that the premises are excluded premises;
 2. that the Board considers, having regard to the licensing objectives, that the applicant is not a fit and proper person to be the holder of a premises licence;
 3. that the grant of the application would be inconsistent with one or more of the licensing objectives;
 4. that having regard to;
 - (i) the nature of the activities 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,the Board considers the premises are unsuitable for use for the sale of alcohol, or
 5. 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, in the locality.
- 4.2 For the purposes of the Act, the licensing objectives are-
 - (a) preventing crime and disorder,
 - (b) securing public safety,
 - (c) preventing public nuisance,
 - (d) protecting and improving public health, and

(e) protecting children and young persons from harm.

4.3 If the Board would refuse the application as made, but a modification is proposed by them and accepted by the applicant, the application can be granted as so modified.

5.0 Licensing Standards Officer

5.1 The LSO has provided the following comments:-

- (i) Uircheann Rìgh is a substantial detached dwelling in the village of Strontian. It has operated successfully as a bed and breakfast establishment and over the last year occasional licences have been applied for periodic alcohol provision to guests.
- (ii) Operating under occasional licences has been entirely incident free and both operators have a sound knowledge of the licensing legislation.
- (iii) The application is for a licence selling solely to residential guests. The LSO has inspected the premises and viewed the arrangements for the honesty bar which are in order and comply with the licensing objectives.
- (iv) The application is accompanied by 3 x Section 50 Certificates relating to Planning, Building Standards and Food Hygiene. A Disabled Access Statement is submitted as well as layout plans of good quality.
- (v) The LSO is of the opinion that the operating plan is in keeping with the licensing objectives and the premises are suitable for the sale of alcohol as described in the application.

6.0 HLB local policies

6.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2018-23
- (2) 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

No local conditions are considered necessary.

7.3 Special conditions

No special conditions are considered necessary.

Recommendation

The Board is invited to determine the above application.

If the Board is minded to refuse 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.

Reference: HC/RSL/2005
Date: 27 May 2022
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