

The Highland Licensing Board

Meeting – 13 February 2024

Agenda Item	6.3
Report No	HLB/15/24

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

Inchnadamph Explorers Lodge Ltd, Inchnadamph, Lairg, IV27 4HL

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for the grant of a provisional premises licence in respect of Inchnadamph Explorers Lodge Ltd, Inchnadamph, Lairg, IV27 4HL.

1.0 Description of premises

1.1 The premises are a hostel lodge (able to sleep up to 50 people) in the rural area of Northwest coast of Scotland. Detached property with own car park and outdoor grass area.

Accommodation consists of mixed dormitories, private rooms, showers, bathrooms, lounge, dining room and kitchen areas (split into self-catering and service kitchen). A small shop (selling snacks, cooking essentials, toiletries and drinks) is part of the reception. The shop is to continue running as off sales only.

The shop will be the only licensed area within the building and will be off sales only.

There are no other parts of the buildings licensed.

The accommodation also includes 3 self-catering studios, a cottage and 2 shepherd huts, these are located behind the main lodge on our premises with the same postcode. External accommodation is able to sleep up to 18 people.

The premises are run as a mix of a hostel and self-catering facilities.

2.0 Operating hours

2.1 The applicant seeks the following **off-sale** hours:

Off sales:

Monday to Sunday: 1000 hours to 2200 hrs

3.0 Background

3.1 On 8 December 2023 the Licensing Board received an application for the grant of a premises licence from Inchnadamph Lodge Ltd.

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

3.2 The application was publicised during the period 18 December 2023 until 8 January 2024 and confirmation that the site notice was displayed has been received.

3.3 In accordance with standard procedure, Police Scotland, the Scottish Fire & 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:

[Highland Licensing Board - Hearings](#)

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:-

1) Inchnadamph Explorers Lodge Shop is a small shop within a large residential hostel/bunkhouse type accommodation, the sale of alcohol primarily to residents is a very minor part of the business of the larger building and properties. This is an application for off sales only.

2) Inchnadamph Explorers Lodge is situated in a remote and sparsely populated area of Assynt, Northwest Sutherland. Inchnadamph Explorers Lodge serves as a residential base for individual walkers/climbers as well as groups.

3) The licensed part of the building is within the main Inchnadamph Lodge, and the off sales display is within that shop.

4) The core hours applied for are within the policy of the Highland Licensing Board.

5) The activities sought would appear to be reasonable and appropriate for the proposed operation of the premises.

6) The children's policy is not applicable as Off Sales only.

7) The layout plan submitted complies with the required specifications.

8) There would not appear to be any matter contained within the application that is inconsistent with the licensing objectives.

9) During the period of public consultation, no objections were received.

10) I have no objection to the application.

6.0 HLB local policies

6.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2023-28
- (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/CSR/2094

Date: 16 January 2024

Author: L Gunn

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