

The Highland Licensing Board

Meeting – 7 May 2024

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| Agenda Item | 7.1 |
| Report No | HLB/38/24 |

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

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

Hollywood Bowl, Ground Floor Unit 12, Eastfield Way, Inverness, IV2 7GD

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 Hollywood Bowl, Ground Floor Unit 12, Eastfield Way, Inverness, IV2 7GD.

1.0 Description of premises

1.1 The Hollywood Bowl is situated in Inverness Retail Park and consists of 2-storey building with a state of art bowling alley.

2.0 Operating hours

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

On sales:

Monday to Sunday: 1100 hours to 0100 hours

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

3.0 Background

3.1 On 5 March 2024 the Licensing Board received an application for the provisional grant of a premises licence from The Original Bowling Company.

The application was accompanied by a Disabled Access Statement.

3.2 The application was publicised during the period 18 March until 8 April 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:-

Purpose built 10 pin bowling alley premises with a selection of pool tables and arcade type games machines, situated in the Eastfield Way Retail and Business Park area of the City with extensive customer car parking.

The LSO has provided the following comments:-

(i) A provisional premises licence application has been received for Hollywood Bowl, Unit 12 (formerly Everlast Fitness Club), Eastfield Way, Inverness.

(ii) The premises will occupy the ground floor of a two-storey building, with Hollywood Bowl situated on the ground floor and an existing sportswear retailer Sports Direct on the first floor.

(iii) The application has been submitted with the necessary Section 50 Certificate relating to Planning. A Disabled Access statement has also been submitted.

(iv) Application has been made for the on Sales of alcohol from 11.00 hours until 01.00 hours Monday to Sunday. Alcohol will be sold on the premises by way of on sales only.

(v) The premises are suitable for the sale of alcohol as described within the application.

(v) The LSO has reviewed the proposed operating plan and is of the opinion that it complies with the 5 licensing objectives. The application complies with the permitted hours allowed within the Licensing (Scotland) Act 2005 and also with current Board Policy.

(vii) During the public consultation phase of this application no objections or representations were received by the Board.

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

Should the Board grant the application as applied for, the Board may wish to consider attaching the following condition from the schedule of local conditions:

(k) The licence holder shall submit to the Board and to Police Scotland, prior to 1 December each year, notice of the dates within the festive period on which it is intended that the premises remain open until the festive period terminal hour stated for that category of premises in the Board's Policy Statement. The premises may remain open until the festive period terminal hour only on these dates for which notice has been given by the licence holder to the Board and to Police Scotland in accordance with this condition.

7.3 Special conditions

A person trained to the satisfaction of the Licensing Board in administering first aid must be present on the premises from 01.00 hrs.

A designated person who is the holder of a Personal Licence must be present on the premises from 01.00 hrs.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local/special condition(s) detailed at para(s). 7.2 and 7.3 above.

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/INBS/701
Date: 22 April 2024
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