

## The Highland Licensing Board

Meeting – 7 May 2024

<b>Agenda Item</b>	8.14
<b>Report No</b>	HLB/53/24

**Application for a major variation of premises licence under the Licensing (Scotland) Act 2005**

**Ross County Football Club, Global Energy Stadium, Victoria Park, Dingwall**

**Report by the Clerk to the Licensing Board**

### Summary

This report relates to an application for a major variation of premises licence by Ross County Football Club in respect of Ross County Football Club, Global Energy Stadium, Victoria Park, Dingwall.

### 1.0 Description of premises

1.1 Ross County Football Club is a Scottish Premier Football Club with four lounges providing hospitality on match days and other licensed activities. The premises licence was granted on conversion on 1 September 2009.

### 2.0 Current operating hours

2.1 The premises currently has the following operating hours:

#### On sales:

Monday to Saturday: 1100 hrs to 0100 hrs  
Sunday: 1100 hrs to 2300 hrs

#### Off sales:

Monday to Sunday: 1000 hrs to 2200 hrs

### 3.0 Summary of variation application

#### 3.1 Variation sought

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

- 1) hospitality to be provided at premises so the licence description and list of other activities amended to take account of this;
- 2) increase on-sales hours to commence at 1000 hrs daily;
- 3) update children and young persons policy.

## **4.0 Background**

- 4.1 On 15 March 2024 the Licensing Board received an application for a major variation of a premises licence from Ross County Football Club.
- 4.2 The application was publicised during the period 22 March to 12 April 2024 and confirmation that the site notice was displayed has been received.
- 4.3 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.
- 4.4 Notification of the application was also sent to NHS Highland and the local Community Council.
- 4.5 Further to this publication and consultation process, no timeous objections or representations have been received.
- 4.6 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](https://www.highland.gov.uk/downloads/file/6399/licensing_hearings_procedure/licensing_board)

## **5.0 Legislation**

- 5.1 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.
- 5.2 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, the Board considers the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation;
  3. 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.

5.3 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.

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

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

## **6.0 Licensing Standards Officer**

6.1 The LSO has provided the following comments:-

- a) The property known as Ross County Football Club is a long-established Football stadium with associated hospitality areas and bar, near to the centre of Dingwall, Ross-shire.
- b) This application is to extend the current activities offered by the premises, in particular, to extend the On Sales hours to allow sale of alcohol as part of hospitality packages and as ancillary to a meal. The full detail of the variation is described in detail elsewhere in the report.
- c) The premises have operated for many years without adverse comment.
- d) The activities sought would appear to be reasonable and appropriate for the proposed operation of the premises.
- e) The Children's and Young Persons policy is appropriate.
- f) The layout plans submitted complies with the required specifications.
- g) There would not appear to be any matter contained within the application that is inconsistent with the licensing objectives.
- h) During the period of public consultation, no objections were received.
- i) I have no objection to this application.

## **7.0 HLB local policies**

7.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2023-28
- (2) Highland Licensing Board Equality Strategy

## **8.0 Conditions**

### **8.1 Mandatory conditions**

If the application is approved the mandatory conditions set out in Schedule 3 of the Act will apply.

## 8.2 Local conditions

Existing local conditions apply.

## 8.3 Special condition

The Board may wish to consider attaching the following special condition:

1. Premises opening for sale of alcohol for consumption on the premises prior to 1100 hrs shall do so as part of a pre organised hospitality package or as ancillary to a meal.

### **Recommendation**

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed special condition detailed at para 8.3 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/CSR/1044

Date: 23 April 2024

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