

The Highland Licensing Board

Meeting – 25 June 2024

Agenda Item	10.6
Report No	HLB/68/24

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

Fort William Shinty Clubhouse, Camanachd Crescent, An Aird, Fort William, PH33 6AN

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by Fort William Shinty Club, Clubhouse, An Aird, Fort William, PH33 6AN.

1.0 Description of premises

1.1 Fort William Shinty Clubhouse is a Members club and sits adjacent to the shinty pitch at An Aird, Fort William. The premises comprise of a lounge with a bar counter, kitchen and toilets.

2.0 Current operating hours

2.1 The premises currently enjoy the following operating hours:

On sales:

Monday to Thursday: 1900 hours to 2300 hours
Friday: 1900 hours to 0100 hours
Saturday: 1200 hours to 0100 hours
Sunday: 1230 hours to 2345 hours

Off sales:

Monday to Friday: 1900 hours to 2200 hours
Saturday: 1100 hours to 2200 hours
Sunday: 1230 hours to 2200 hours

3.0 Summary of variation application

3.1 Variation sought

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

- (1) increase on-sales hours to: 1100 hours to 0100 hours – Monday to Sunday;
- (2) increase off-sale hours to: 1100 hours to 2200 hours – Monday to Sunday.

4.0 Background

- 4.1 On 26 February 2024 the Licensing Board received an application for a major variation of a premises licence from Fort William Shinty Club.
- 4.2 The application was publicised during the period 22 May 2024 to 12 June 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:

www.highland.gov.uk/hlb_hearings

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.

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.

5.2 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.

5.3 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.

5.4 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:-

1. Premises are Clubhouse adjacent to shinty pitch at An Aird Fort William comprising lounge, kitchen and toilets.
2. The application is within Highland Licensing Board policy.
3. The application is consistent with the five Licensing Objectives.
4. The variation for the change in hours is to enable the Club to have a bit more flexibility to hold events in connection with Club related activities, without having to submit applications for extended hours on every occasion.
5. No objections or representations have been received in respect of this application.
6. I have no objections 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 will continue to apply and no additional local conditions are considered necessary.

8.3 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/1462

Date: 13 June 2024

Author: Julie Traynor