

The Highland Licensing Board

Meeting – 3 September 2024

Agenda Item	8.1
Report No	HLB/88/24

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

Roslin Distillers Limited, Unit 1A, Lochaber Rural Complex, Torlundy, Fort William, PH33 6SH

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 Roslin Distillers Limited, Unit 1A, Lochaber Rural Complex, Torlundy, Fort William, PH33 6SH.

1.0 Description of premises

- 1.1 The premises comprises of an industrial/commercial self contained unit located within the Lochaber Rural Complex at Torlundy, Fort William. Alcohol will be stored within the unit. Alcohol will be sold for consumption off the premises (off-sales) and will be predominantly by way of on-line sales.

2.0 Operating hours

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

Off sales:

Monday to Sunday: 1000 hours to 1800 hours

3.0 Background

- 3.1 On 30 July 2024 the Licensing Board received an application for the grant of a premises licence from Roslin Distillers Limited.
- 3.2 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.
- 3.3 The application was publicised during the period 31 July 2024 until 21 August 2024 and confirmation that the site notice was displayed has been received.

- 3.4 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.
- 3.5 Notification of the application was also sent to NHS Highland and the local Community Council.
- 3.6 Further to this publication and consultation process, no timeous objections or representations have been received.
- 3.7 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 premises are an industrial/commercial, self-contained unit, within the Lochaber Rural Complex, used for business and where alcohol is stored. Off sales business is predominantly carried out online.
 - The business has evolved over a number of years and they have a limited number of their own produced alcoholic products, which we are seeing on a more regular basis within the Highland Licensing Board area.
 - The application is within Highland Licensing Board policy.
 - The application is consistent with the licensing objectives.
 - The premises are, in essence, a storage facility for alcohol to be sold online and the off sales capacity of 28.33 m² as stated in the application form is not the space that alcohol is displayed in the traditional sense. I have left it as such so if the applicant wished to use this space to actually “display stock“ in the future they could do so, without having to complete a major variation application.
 - The business has been running on occasional licences for some considerable time with no adverse effects.
 - No objections or representations have been received in respect of this application.
 - I have no objections to this 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.

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/2123
Date: 22 August 2024
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