

The Highland Licensing Board

Meeting – 25 February 2025

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| Agenda Item | 8.1 |
| Report No | HLB/10/25 |

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

Dog Falls Brewing Co Ltd, Unit 2, Lotland Place, Inverness IV1 1PB

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 Dog Falls Brewing Co Ltd, Unit 2, Lotland Place, Inverness IV1 1PB

1.0 Description of premises

- 1.1 Dog Falls Brewing Co Ltd is set within a terrace of commercial units in an urban industrial area. It is a brewery primarily used for the production, packaging and dispatching of beer sold to members of the public via online off-sales orders and delivering to customers either by Dog Falls Brewing or courier.

2.0 Operating hours

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

Off sales:

Monday to Sunday: 1000 hours to 2200 hours

3.0 Background

- 3.1 On 13 November 2024 the Licensing Board received an application for the grant of a premises licence from Dog Falls Brewing Co Ltd.
- 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 25 November until 16 December 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 LSO has provided the following comments:

The premises of Dog Falls Brewing Company is a Nano brewery situated in Longman, Inverness.

(i) application has been made for a grant of premises licence to permit the sale of alcohol as follows: -

Off sales - Monday to Sunday: 1000 hours to 2200 hours

ii) The application is made by a company who brew and sell their own craft beer by way of online sales only. The company have successfully operated on occasional licences for a period whilst building up the business and ensuring its viability.

iii) The premises will be used as a production and storage facility, as well as providing a service for the packaging and despatch of craft beers following on-line sale.

(iii) The LSO has visited the premises and can confirm in the view of the LSO are suitable to sell alcohol as described within the operating plan and that the application and Operating Plan is compliant with HLB policy.

(iv) A full set of Section 50 certificates has accompanied the application together with the required Disabled Access statement.

(v) The LSO is satisfied that should the HLB wish to grant this application then there will be no threat to the Licensing Objectives.

(vi) Following the public consultation phase of this application no Objections or Representations have been made to HLB.

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/INBS/707
Date: 11 February 2025
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