

The Highland Licensing Board

Meeting – 24 June 2025

Agenda Item	9.5
Report No	HLB/54/25

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

Roam West, Inchree, Onich, Fort William, PH33 6SE

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by Roamwest Limited, Inchree Centre, Onich, Fort William, PH33 6SE

1.0 Description of premises

- 1.1 The premises comprise of a freestanding single-storey, purpose-built building situated in a rural setting in Inchree, Onich.

The premises currently includes a lounge bar, restaurant, cellar, offices, a storage area, along with male, female and accessible toilet facilities. Additionally, there is an external smoking and drinking area located on the front patio.

2.0 Summary of variation application

2.1 Variation sought

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

1. Operating Plan:

- Reduce on-sales hours to: 1200 hrs to 2230 hours, Monday to Saturday and 1200 hrs to 2200 hours on Sunday
(Currently: 1100 hrs to 0000 hrs Mon-Wed; 1100 hrs to 0100 hrs Thurs-Sat and 1230 hrs to 2345 hrs on Sun);
- Reduce off sales hours to: 1200 hours to 2200 hours, Monday to Sunday.
(Currently: 1100 hrs - 2200 hrs, Mon-Sat and 1230 hrs - 2200 hrs, Sunday);
- Add seasonal variation to take advantage of the Highland Licensing Board's festive policy;
- Capacity:
 - Increase total on-sales to 190 persons (currently licensed for 185 persons);
 - Breakdown: 145 persons - restaurant/bar; 45 persons - marquee.

2. Layout Plan:

- Increase footprint of premises to include marquee structure adjacent to Roam West premises during the months of April to October.

3. Description of premises:

Update description of premises to include reference to new marquee structure.

3.0 Background

- 3.1 On 15 April 2025 the Licensing Board received an application for a major variation of a premises licence from Roamwest Limited.
- 3.2 The application was publicised during the period 21 May 2025 until 11 June 2025 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 Planning Permission (25/00216/FUL) for the stretch tent marquee structure was granted on 26 May 2025.
- 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, however, a report is awaited from Building Standards in relation to the marquee structure. The Clerk will provide a verbal update.
- 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: www.highland.gov.uk/hlb_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 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.

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 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.

4.4 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.

5.0 Licensing Standards Officer

5.1 The LSO has provided the following comments:-

- (i) The application complies with the Highland Licensing Board's policy and aligns with the licensing objectives.
- (ii) No objections or representations have been received in relation to the application.
- (iii) The purpose of the application is to amend and update certain aspects of the current premises licence and layout to better accommodate the needs of their customers.
- (iv) 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 condition

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:

n(i) No live or recorded music shall be played in any outdoor drinking area.

7.3 Specific condition

Should the Board grant the application as applied for, the Board may wish to consider attaching the following condition:

- No alcoholic or non alcoholic drinks are to be consumed in the external drinking areas after 2200 hrs.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local and specific conditions detailed at paras. 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/RSL/443
Date: 12 June 2025
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