

The Highland Licensing Board

Meeting – 5 August 2025

Agenda Item	8.4
Report No	HLB/64/25

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

Armadale Stores, Armadale, Sleat, Isle of Skye, IV45 8RS

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by Sleat Community Trading Company Limited. Faolinn Cottage, Armadale, Isle of Skye, IV45 8RS.

1.0 Description of premises

1.1 The premises is a local community grocery store and post office with an adjacent community office building sitting in its own grounds.

2.0 Current operating hours

2.1 The premises currently enjoys the following operating hours:

Off sales:

Monday to Friday: 1000 hours to 1730 hours
Saturday: 1000 hours to 1900 hours

3.0 Summary of variation application

3.1 Variation sought

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

(1) Increase off sales hours to 1000 hours to 2200 hours Monday to Sunday

4.0 Background

4.1 On 17 June 2025 the Licensing Board received an application for a major variation of a premises licence from Sleat Community Trading Company Limited.

- 4.2 The application was publicised during the period 20 June 2025 until 11 July 2025 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:-

- (i) The premises is a single storey renovated and expanded building which is detached sitting in its own ground adjacent to the road in Armadale on the Isle of Skye.
- (ii) The premises is a local community grocery store and Post Office with an adjacent community office building.
- (iii) Off sales hours are currently restricted and this variation will give the premises flexibility to offer off sales if required within the allowable times for off sales under current legislation, Monday to Sunday - 1000 hours to 2200 hours. The premises opening hours can vary depending on the time of year. This application “future proofs” the premises need to apply for any further variations regarding off sales hours.
- (iv) The application is within HLB policy.
- (v) The application is consistent with the licensing objectives.
- (vi) No objections or representations have been received regarding the application.
- (vii) I have no objections to the 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

There are no existing local conditions and it is not considered necessary to attach any.

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/1953
Date: 14 July 2025
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