

The Highland Licensing Board

Meeting – 14 May 2013

Agenda Item	7.2
Report No	HLB/047/13

Application for the Grant of a Premises Licence under the Licensing (Scotland) Act 2005

Hillstone Lodge, 12 Colbost, By Dunvegan, Isle of Skye, IV55 8ZT

Report by Clerk of the Licensing Board

Summary

This Report relates to an application for a Premises Licence for Hillstone Lodge, 12 Colbost, By Dunvegan, Isle of Skye, IV55 8ZT.

1.0 Background

- 1.1 Hillstone Lodge is a Guest House with three letting bedrooms (max 6 people) offering both dinner and breakfast to residents.
- 1.2 On 27 March 2013 the Licensing Board received an application for the grant of a Premises Licence from Andreas Adalian.
- 1.3 The application was publicised during the period 4 April 2013 to 25 April 2013 and no objections or representations have been received.
- 1.4 In accordance with standard procedure, Police Scotland, Scottish Fire and Rescue Service, the Council's TEC Services (Environmental Health), Planning and Building Standards were consulted on the application.

Notification was also sent to NHS Highland and the local Community Council.

No objections or representations have been received from these agencies.

2.0 Legislation

- 2.1 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 premises are excluded premises;
2. the grant of the application will be inconsistent with one or more of the licensing objectives; 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, if the Board considers the premises are unsuitable for the sale of alcohol.

3. having regard to the number and capacity of licensed premises of the same or similar description in the locality, the Board considers that if the application were to be granted, there would, as a result, be over provision of licensed premises of that description in the locality.

2.2 The Board has power where, if they would refuse the application as made, but if a modification is proposed by them and accepted by the applicant, the application can be granted as modified.

3.0 Summary of Application

The applicant seeks the following **on-sale** hours:-

Monday to Sunday: 1700 to 2300

4.0 Policies

The following policies are relevant to the application:-

- (i) Highland Licensing Board Policy Hours
- (ii) Highland Licensing Board Policy Statement
- (iii) The Highland Licensing Board combined Equality Strategy

5.0 Licensing Standards Officer

The LSO has provided the following comments:-

- The core hours applied for are within the Policy Hours of The Highland Licensing Board.
- The premises would appear to be a suitable environment for children and young persons and the Children's Policy is in line with The Highland Licensing Board's Policy in relation to children.
- From the layout plan submitted the premises will comply with the required specifications and Mandatory Conditions.
- There would not appear to be any matter contained within the application that is inconsistent with the Licensing Objectives.

6.0 Conditions

6.1 Mandatory Conditions

If the application is approved the Mandatory Conditions set out in Schedule 3 of the Act will apply.

6.2 Local Conditions

It is not considered necessary to attach any Local Conditions.

Recommendation

The Board is invited to determine the above application.

Designation: Clerk of the Highland Licensing Board

Reference: HC/RSL/1664

Date: 29 April 2013

Background Papers: The Licensing (Scotland) Act 2005 / Application Form