

The Highland Licensing Board

Meeting – 14 May 2013

Agenda Item	9.7
Report No	HLB/059/13

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

Royal Dornoch Golf Club, Golf Road, Dornoch, Sutherland, IV25 3LW

Report by the Clerk of the Licensing Board

Summary

This Report relates to an application for a major variation for a Premises Licence for the Royal Dornoch Golf Club, Golf Road, Dornoch, IV25 3LW.

1.0 Licensing History

1.1 The premises tendered a conversion licence under the transitional provisions in 2009.

2.0 Variation Details

2.1 Variation is sought by the applicants to vary the operating plan, description of premises and layout plan to include the operation of a Halfway House located at the 9th green/10th tee to provide a food and refreshment service to golfers.

3.0 Process

3.1 Following receipt of the application which has been accompanied by statutory fee:

3.2 A notice of the application together with a copy thereof has been sent to Police, Fire, Environmental Health, Planning, Building Standards, Licensing Standards Officer and NHS's Director of Public Health. The local Community Council were also notified.

3.3 The Chief Constable has a period of 21 days to give notice that either the applicant or any connected person has been convicted of any relevant offence or foreign offence. It is also open to the Chief Constable in the event of giving such a conviction to recommend that the application be refused for the purposes of crime prevention objection that is the prevention of crime and disorder.

3.4 The Board has advertised the application on the Council's website for a period of 21 days and the applicant displayed the Notice on site for the same period.

3.5 The Applicant and the Board have complied with all the statutory formalities and there are no objections or representations. The Licensing Standards Officer has also commented and any amendments proposed have been incorporated into the operating plan or are recommended as conditions.

4.0 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 Scheme

5.0 The Members will note that the following is a summary of the Board's powers and if required more specific advice will be offered.

5.1 Grounds For Refusal

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.
3. 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.
4. 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.

5.2 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.

6.0 Licensing Standards Officer's Comments

6.1 Royal Dornoch Golf Club is the holder of a premises licence and operates in accordance with the terms of the Licensing (Clubs) (Scotland) Regulations 2007

The Club has operated a refreshment facility at the Halfway House on the golf course for some time. The Club now wishes to be able to provide alcoholic beverages as an additional service from the facility and seeks to vary their premises licence to bring the Halfway House within the licensed area. The service will only be available to persons playing golf on the Championship Course.

The variation applied for is reasonable and appropriate for these premises and I have no cause to make any objection.

7.0 Local Conditions

No change to the list of local conditions will be required.

Recommendation

The Board is invited to determine the above application.

Designation: Clerk of the Highland Licensing Board

Reference: HC/CSER/1088

Date: 30 April 2013

Author: L Gunn

Background Papers: The Licensing (Scotland) Act 2005