

The Highland Licensing Board

Meeting – 14 May 2013

Agenda Item	9.8
Report No	HLB/060/13

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

Glencoe Hotel, Ballachulish, PH49 4HW

Report by the Clerk to the Licensing Board

Summary

This Report relates to an application for a major variation of Premises Licence in respect of the Glencoe Hotel, Ballachulish.

1.0 Description of Premises

The Glencoe Hotel is a detached two storey building set within 3.5 acres and is situated within the village of Glencoe. The Premises currently consists of a lounge bar, lounge, dining room, laundry room and fifteen bedrooms.

1.1 Current Core Operating Hours

The premises currently enjoys the following operating hours:

On-Sale:

Monday to Wednesday: 1100 to 2400 hours
Thursday to Saturday: 1100 to 0100 hours
Sunday: 1200 to 0100 hours

Off-Sale:

Monday to Saturday: 1100 to 2200 hours
Sunday: 1200 to 2200 hours

2.0 Summary of Variation Application

2.1 Variation Sought

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

Description of Premises:

- Revision of description of premises to include restaurant and restaurant area on the first floor of the premises.

Layout Plan

- Alteration to ground floor layout plan to include external drinking areas which had previously only been shown on the overall site plan;
- Alteration to first floor layout plan to include new restaurant areas (formerly referred to as office accommodation/storage on current layout plan);
- Revision to site layout plan to accurately demonstrate shape of hotel building.

Operating Plan

- Additional activities within Operating Plan to include gaming;
- Revision to Operating Plan to include provision of take-away service from first floor restaurant which may take place outwith core hours, but no later than 2300 hours;
- Revision to Operating Plan in respect of Restaurant and Bar Meal Facilities to reflect additional restaurant areas on first floor;
- Change of Premises Manager;
- Increase in capacity from 176 to 413 persons (total building occupancy) to reflect alterations to layout plans to include new restaurant areas on first floor and to specify capacity of whole premises, including bedrooms, which had previously been omitted from operating plan.

3.0 Background

3.1 On 21 March 2013 the Licensing Board received an application for a major variation of a Premises Licence from Crerar Hotel Group Limited, 17 Main Street, Kirby, Lonsdale, via Carnforth, Lancashire, LA26 2AQ.

3.2 The application was publicised during the period 3 April until 24 April 2013 and confirmation that the site notice was displayed has been received.

3.3 In accordance with standard procedure, Northern Constabulary, Highlands & Islands Fire & Rescue Service, the Council's TEC Services (Environmental Health), Planning, Building Standards were consulted on the application.

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

3.4 No objections or representations have been received in respect of the application.

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, if the Board considers the premises are unsuitable for use for the sale of alcohol in accordance with the proposed variation;
3. having regard to the number and capacity of (i) licensed premises of the same or similar description as the subject premises (taking account of the proposed variation), in the locality in which the subject premises are situated, the Board considers that, if the application were to be granted, there would, as a result, be over provision of licensed premises or licensed premises of that description in the locality.

4.2 The Board has only power to either grant the application and make a variation of the conditions to which the licence is subject or, refuse the application.

If the Board refuses 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.

5.0 Licensing Standards Officer

The LSO has provided the following comments:-

- the layout plan submitted complies with the required specifications;
- the premises are considered suitable for use for the sale of alcohol in accordance with the proposed variation;
- there would not appear to be any matter contained within the application that is inconsistent with the licensing objectives.

6.0 HLB Local Policies

The following policies are relevant to the application:-

- (i) Highland Licensing Board Policy Statement
- (ii) 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

It is not considered necessary to attach any additional Local Conditions.

Recommendation

The Board is invited to determine the above application.

Designation: Clerk to the Licensing Board

Reference: HC/RSL/1504:AHM/JT

Date: 30 April 2013

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