

**The Highland Licensing Board**

**Meeting – 11 June 2013**

Agenda Item	8.2
Report No	HLB/072/13

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

**Glencoe Ski Centre, White Corries, Glencoe, PH49 4HZ**

**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 Ski Centre, White Corries, Glencoe, PH49 4HZ.

**1.0 Description of Premises**

The Glencoe Ski Centre is situated at White Corries, Glencoe. The premises consists of a restaurant area which contains a bar servery and customer toilets. There is an outdoor seating area located on the verandah.

**1.1 Current Core Operating Hours**

The premises currently enjoys the following operating hours:

**On-Sale:**

Monday to Saturday: 1100 hours to 2300 hours  
Sunday: 1230 hours to 2300 hours

**2.0 Summary of Variation Application**

**2.1 Variation Sought**

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

1. Additional activities within Operating Plan to include club or other group meetings, live performances, dance facilities, gaming and indoor/outdoor sports;
2. Revision to Operating Plan to include Off-Sales;
3. Revision to Operating Plan to remove restriction that alcohol will only be served when food is available;
4. Revision to Premises Description to reflect provision of Off-Sales;
5. Increase in On-Sale hours on Sunday from 1230 hours to 1200 hours;
6. Revision to site layout plan to include whole premises including outside drinking area but excluding garage and ticket office.

### **3.0 Background**

- 3.1 On 23 April 2013 the Licensing Board received an application for a major variation of a Premises Licence from Glencoe Mountain Limited.
- 3.2 The application was publicised during the period 8 May 2013 until 29 May 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 increase in core hours applied for is within the policy hours of the Highland Licensing Board;
- the premises are considered suitable for use for the sale of alcohol in accordance with the proposed variation;
- the layout plan submitted complies with the required specifications;
- 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 Hours
- (ii) Highland Licensing Board Policy Statement
- (iii) Schedule of Local Conditions
- (iv) 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.

### **Recommendation**

The Board is invited to determine the above application.

If the Board are 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.

Designation: Clerk to the Licensing Board

Reference: HC/RSL/1300

Date: 29 May 2013

Author: AHM/JT

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