

The Highland Licensing Board

Meeting – 06 August 2013

Agenda Item	10.1
Report No	HLB/088/13

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

Carrbridge Hotel, Main Road, Carrbridge PH23 3AB

Report by the Clerk to the Licensing Board

Summary

REF: HC/INBS/416

This Report relates to an application for a major variation of Premises Licence.

Premises: Carrbridge Hotel, Main Road, Carrbridge PH23 3AB

Applicant: Carrbridge Hotel Ltd, Main Road, Carrbridge PH23 3AB per Lorna Murray, Solicitor, 45 Culduthel Road, Inverness IV2 4HQ

1 Description of Premises

The premises are a Hotel centrally located in its grounds in the village of Carrbridge, offering On and Off Sales. Currently with 101 bedrooms, 3 bars, banqueting, dining and conference areas and ancillary accommodation. There are car parking and outside dining and drinking areas.

2 Summary of Variation Application

2.1 Variation Sought

- Increase of capacity to 885 (currently 861).
- Number of bedrooms to be increased to 113 with the addition of a 12-bedroom extension. (Currently 101)
- Addition of outdoor drinking facilities, prior to the commencement of core hours.

3 Background

3.1 The premises are licensed for on and off sales and were converted from the 1976 Act.

On 23 May 2013 the Licensing Board received an application for a major variation of a Premises Licence from the applicant's agent, Lorna Murray, Solicitor.

3.2 The Board has advertised the application on the Council's website for a period of 21 days and the applicant had to display the Notice on site for the same period (10 June to 01 July 2013). Confirmation of display of the site note has been received.

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

Notification and a copy of the application have been sent to NHS Highland and to the Local Community Council.

3.4 A notice of the application has been sent to and all the people listed under S21(1) of the Act.

3.5 No objections have been received in respect of the application.

4 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 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.

5 Licensing Standards Officer's Comments

The Carrbridge Hotel is a substantial Hotel operating within the village of Carrbridge, Inverness-shire. A substantial part of the Hotel's business stems from coach tours.

As part of on-going improvements to the Hotel a wing of 12 additional bedrooms is being built, thereby increasing the total bedrooms to 113 which necessitate an alteration to the description of the Premises within the Premises Licence. Accordingly the capacity of the Hotel is increased from 861 persons to 885 persons necessitating amendment to section 7 of the Operating Plan.

The Hotel enjoys the facility of a small outdoor drinking area to the southern aspect of the Hotel overlooking the Dulnain River. Amendment is asked for in Section 5 of the Operating Plan to allow this area to function outwith core hours to allow guests to take morning coffee and the suchlike at what is a well documented local beauty spot.

Nothing in this variation causes any issues in respect of the Licensing Objectives. The Premises are very responsibly run and have been visited on several occasions by the LSO who has found a high level of compliance.

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 combined Equality Scheme

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

Existing Local Conditions will continue to apply.

7.3 Specific Condition(s)

None recommended.

8 Recommendation

The Board is invited to determine the above application.

Signature:

Designation: Clerk to the Licensing Board

Reference: HC/INBS/416

Date: 30/03/2013

Author: Wendy Grosvenor

Background Papers: The Licensing (Scotland) Act 2005/Application Form/ Schedule of Local Conditions January 2011.