

The Highland Licensing Board

Meeting – Tuesday, 1 October 2013

Agenda Item	7.1
Report No	HLB/111/13

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

Glencoe Youth Hostel, Glencoe, PH49 4HX

Report by Clerk of the Licensing Board

Summary

This Report relates to an application for a Premises Licence in respect of Glencoe Youth Hostel, Glencoe, PH49 4HX.

1.0 Background

1.1 The Glencoe Youth Hostel is situated in the glens of Glencoe. On the ground floor there are four Dormitories, an Entrance Hall, Common Room, Quiet Room, Toilets, Laundry and Drying Room together with private Manager's accommodation to the rear of the premises.

The First Floor comprises of five Dormitories and toilet facilities together with private Manager's accommodation situated to the rear of the premises.

The premises offers accommodation to travellers and tourists and there is an outdoor drinking area located at the front of the premises.

1.2 On 5 August 2013 the Licensing Board received an application for the grant of a Premises Licence from SYHA (Trading) Ltd.

The application was accompanied by the necessary Section 50 Certification in terms of Planning, Building Standards and Food Hygiene.

1.3 The application was publicised during the period 26 August 2013 until 16 September 2013 and confirmation that the site notice was displayed has been received.

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

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

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

1.6 Representations have been received from the Council's Environmental Health Authority in relation to noise management. This matter is being addressed directly between the applicant and the Environmental Health Authority who will agree a Noise Action Plan stipulating what is required for any entertainment activities likely to produce noise.

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 Thursday:	1100 hours to 2400 hours
Friday & Saturday:	1100 hours to 0100 hours
Sunday:	1200 hours to 2400 hours

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

Monday to Sunday:	1000 hours to 2200 hours
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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 Equality Strategy
- (iv) Schedule of Local Conditions

5.0 Licensing Standards Officer

The LSO has provided the following comments:-

- The hours applied for are within policy and all activities referred to in the operating plan are reasonable and appropriate for this type of operation;
- There is no bar counter within the premises and the Children's Policy is in line with Board Policy;
- The layout plan(s) submitted with the application complies with the required specifications;
- The premises are considered suitable for use for the sale of alcohol in accordance with the proposed application;
- There would not appear to be any matter contained within the application that is inconsistent with the licensing objectives;
- It is noted that an outdoor drinking area is proposed. It is not considered necessary to impose any restriction or other conditions on its use.

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

Should the Board grant the application as applied for, the Board may wish to consider attaching the following condition from the Schedule of Local Conditions:-

Local Condition E:

Any alcohol for consumption in the outdoor drinking area will be sold only in the licensed premises.

6.3 Specific Condition

The applicant has indicated that the premises will operate additional hours during the festive period in accordance with the Licensing Board's policy. In this regard, the Board may wish to consider attaching the following specific condition:

- The licence holder shall submit to the Board and to Police Scotland, prior to 1 December each year, notice of the dates within the festive period on which it is intended that the premises remain open until the festive period terminal hour stated for that category of premises in the Board's Policy Statement. The Premises may remain open until the festive period terminal hour only on those dates for which notice has been given by the licence holder to the Board and to Police Scotland in accordance with this condition.

Recommendation

The Board is invited to determine the above application and the proposed local/specific conditions detailed at paras. 6.2 and 6.3 above.

Designation: Clerk of the Highland Licensing Board

Reference: HC/RSL/1678

Date: 20 September 2013

Author: AHM/JT

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