

The Highland Licensing Board

Meeting – 17 December 2013

Agenda Item	8.1
Report No	HLB/151/13

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

Key Store Express, 33 Bridge Street, Wick

Report by the Clerk of the Licensing Board

Summary

Ref: HC/CSER/1681

This Report relates to an application for the provisional grant of a Premises Licence for:

Premises: Key Store Express, 33 Bridge Street, Wick, KW1 4AJ

Applicant: Younes Amin

1 Background

1.1 The premises are a single storey convenience store within a currently vacant retail unit at Bridge Street, Wick.

1.2 On 22 October 2013 the Licensing Board received an application for the provisional grant of a Premises Licence from the applicant.

The application was accompanied by the necessary Section 50 Certification in terms of Planning and the statutory fee.

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

1.4 In accordance with standard procedure, Police Scotland, Scottish Fire and Rescue Service, and the Council's 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.

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

There are no objections or representations.

2. 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 ground 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 licenced 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.

3. Summary of Application

Off Sales: Monday to Sunday 1000 hrs to 2200 hrs

4. Policies

The following policies are relevant to the application:

Highland Licensing Board Policy Hours
Highland Licensing Board Policy Statement
The Highland Licensing Board combined Equality Scheme
Schedule of Local Conditions

5 Licensing Standards Officer's Comments:

The applicant seeks to operate a conventional, small convenience store within a currently vacant retail unit at the junction of High Street with Bridge Street, Wick.

The premises will fall within an overprovision category of off-sales only. There are currently no convenience stores or supermarkets in the traditional town centre of Wick.

The capacity of alcohol displayed for sale is 15.75 m² and, as such, falls below the overprovision threshold of 40 m² in terms of the Highland Licensing Board overprovision policy statement.

The licensed hours applied for are within policy for off-sales premises and the activities or services to be provided are appropriate for a convenience store with a lottery terminal and Paypoint facilities.

5.1 Local Conditions

None

6.0 Mandatory Conditions

6.1 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, noting that the application is within the policy adopted by the Board on 1 October 2013 as the Board's new policy for 1 December 13 to 30 November 2016.

Designation: Clerk of the Highland Licensing Board
Reference: HC/CSER/1681
Author: G Sutherland
Date: 25 November 2013

Background Papers: The Licensing (Scotland) Act 2005

Appendix: None