

The Highland Licensing Board

Meeting – 17 June 2014

Agenda Item	8.1
Report No	HLB/073/14

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

Applicant – The Steading Bistro Ltd

Premises – The Steading Bistro, Achtercairn, Gairloch, IV21 2BP

Report by the Clerk of the Licensing Board

Summary

This Report relates to an application for the grant of a premises licence for The Steading Bistro Ltd., Achtercairn, Gairloch, IV21 2BP.

1.0 Background

1.1 The single storey detached 40 cover Bistro with outdoor drinking area is located within a courtyard and adjacent to the museum in the village of Achtercairn, by Gairloch.

1.2 On 29 April 2014 the Licensing Board received an application for the grant of a premises licence from The Steading Bistro Ltd in respect of The Steading Bistro.

1.3 The application was accompanied by the necessary section 50 certification.

The application was publicised during the period 2 May 2014 to 23 May 2014 and confirmation that site notice was displayed has been received.

1.4 In accordance with standard procedure, Police Scotland, Scottish Fire & Rescue Service, the Council's TEC Services (Environmental Health) and 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.

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

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 hours:-

On-sales

Monday to Sunday 1100 hrs to 2330 hrs

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:-

- 5.1 The applicant intends to operate a 40 cover Bistro in a single storey detached building adjacent to the museum at Achtercairn, Gairloch. The courtyard between the museum and bistro has been identified as an outdoor drinking area. The courtyard is not overlooked by or in close proximity to, any residential premises.
- 5.2 The application is for on-sales but there is no bar counter on the premises with alcohol being dispensed from the Bistro service counter.
- 5.3 The business will be primarily a food-led operation with licensed hours commencing at 1100 hrs and terminating at 2330 hrs each day. Sales of alcohol will not be restricted only to persons taking table meals on the premises.
- 5.4 The licensed hours applied for are within policy for on-sales and the activities or services to be provided are appropriate for such a business.

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

It is not considered necessary to attach any local conditions.

6.3 Specific Condition(s)

It is not considered necessary to attach any specific conditions.

Recommendation

The Board is invited to determine the above application.
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Designation: Clerk of the Highland Licensing Board

Reference: HC/RSL/1704

Date: 30 May 2014

Author: AHM/CM

Background Papers: The Licensing (Scotland) Act 2005