

The Highland Licensing Board

Meeting – 17 June 2014

Agenda Item	8.2
Report No	HLB/074/14

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

Broadford Youth Hostel, Broadford, Isle of Skye, IV49 9AA

Report by the Clerk of the Licensing Board

Summary

This Report relates to an application for a Premises Licence for Broadford Youth Hostel, Broadford, Isle of Skye, IV49 9AA.

1.0 Background

- 1.1 Broadford Youth Hostel is located within easy reach of Broadford village and offers accommodation to travellers and tourists.
- 1.2 On 8 April 2014 the Licensing Board received an application for the grant of a Premises Licence on behalf of the Applicant, SYHA (Trading) Ltd, from Lindsays. 1 Royal Bank Place, Glasgow, G1 3AA.
- 1.3 The application was accompanied by the necessary Section 50 certification in respect of Planning, Building Standards and Food Hygiene.
- 1.4 The application was publicised during the period 7 to 28 May 2014 and no objections or representations have been received.
- 1.5 In accordance with standard procedure, Police Scotland, Scottish Fire and Rescue Service, the Council's TEC Services (Environmental Health), Planning and Building Standards were consulted on the application.

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

No objections or representations have been received from these agencies.

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 to 2400
Friday to Sunday: 1100 to 0100

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

Monday to Sunday: 1100 to 2200

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 combined Equality Strategy
- (iv) Schedule of Local Conditions

5.0 Licensing Standards Officer

The LSO has provided the following comments:-

- The core hours applied for are within the policy hours of the Highland Licensing Board;
- The activities sought would appear to be reasonable for the proposed operation;

- There is no bar counter within the premises and the children's policy is considered suitable for the proposed operation of the premises and is within the policy of The Highland Licensing Board;
- The layout plan submitted with the application complies with the required specifications;
- There would not appear to be any matter contained within the application that is inconsistent with the licensing objectives and the premises would appear to be suitable for use for the sale of alcohol in accordance with the proposed application.

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

If the application is approved, it is recommended that the following local condition be attached:

- Q. 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.

6.3 Mandatory Condition – Late Opening Premises

When the premises are operating as Late Opening Premises ie. the Festive Policy, then the following mandatory condition will apply:

1. A person trained to the satisfaction of the Licensing Board in administering First Aid must be present on the premises from 0100 hours (on any day when the premises are open at 0100 hours) until whichever is the earlier of:-
 - (a) the time at which the premises next close; and
 - (b) 0500 hours

6.4 **HLB Special Condition**

When the premises are operating as Late Opening Premises ie. the Festive Policy, then the following condition will apply:-

A designated person who is the holder of a personal licence must be present on the premises from 0100 hours.

Recommendation

The Board is invited to determine the above application and the proposed local conditions detailed at paragraph 6.2, 6.3 and 6.4 above.

Designation: Clerk of the Highland Licensing Board

Reference: HC/RSL/702

Date: 3 June 2014

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