

The Highland Licensing Board

Meeting – 5 January 2016

Agenda Item	5
Report No	HLB/003/16

The Licensing (Scotland) Act 2005, Section 37

Premises licence review proposal – Non-payment of annual premises licence fee 2015/16

Report by the Clerk to the Licensing Board

Summary

This Report relates to the non-payment of annual premises licence fees for the period 1 October 2015 to 30 September 2016.

1.0 Background

1.1 In terms of the Licensing (Scotland) Act 2005, Schedule 3, mandatory condition 10, an annual premises fee must be paid in accordance with the regulations.

In terms of the Licensing (Fees) (Scotland) Regulations 2007 payment of the annual premises licence fee is due on 1 October each year.

1.2 An invoice in respect of this fee was issued to premises licence holders by the Licensing Board in accordance with the Regulations.

Two subsequent reminders have also been issued by the Council's Finance/ Corporate Development Service.

Details of the premises who have failed to pay this fee are attached as Appendix 1.

1.3 In terms of Section 37, if the Board decide to make a premises licence review proposal then the Board must hold a hearing for the purposes of considering and determining the proposal.

1.4 The grounds for any premises licence review are:

- (a) That one or more of the conditions to which the premises licence is subject has been breached (ie. mandatory condition 10 - non-payment of annual fee).
- (b) Any other ground relevant to one or more of the licensing objectives.

1.5 In terms of Section 39, if the Licensing Board establish that a ground for review is failure to pay the annual fee, it has the power to take the following steps:

- to issue a written warning to the licence holder,
- to make a variation of the licence,
- to suspend the licence for such period as the Board may determine,
- to revoke the licence.

1.6 The premises licence holders have been advised of the possible consequences of failure to pay the annual fee.

Recommendation

If the Board is satisfied that grounds for a premises licence review have been established on the basis of non-payment of the annual premises fee, the Board are invited to make a review proposal with a view to holding review hearings at their next meeting.

Date: 11 December 2015

Author:

Background Papers: The Licensing (Scotland) Act 2005.

Appendices: (A) Details of Premises for which annual fee remains outstanding.

Appendix 1

Reference	Premises	Licence holder	
HC/INBS/207	Glen Affric Bar, Cannich By Beauly IV4 7LW	Robert J Munro Glen Affric Bar, Cannich By Beauly IV4 7LW	Ceased to trade
HC/INBS/543	Highland Bottle Shop, 45 King Street, Inverness IV3 5DG	Highland Bottle Shop Ltd 2 Forest Road Grantown on Spey PH26 3JJ	Ceased to trade
HC/INBS/263	Jurys Inn Inverness (Formerly Inverness Thistle Hotel), Millburn Road, Inverness IV2 3TR	Jurys Hotel Management (UK) Limited 245 Broad Street Birmingham B1 2HQ	
HC/INBS/557	MacVeans Canal Side Fort Augustus PH32 4BA	Audrey Corbett Scott Kilchumein House Fort Augustus PH32 4BZ	Ceased to trade- no premises manager
HC/INBS/554	Sobar (formerly Pockets) 55-67 Castle Street, Inverness IV2 3DU	Ali Raza Mohammed 18 Wimberley Way Inverness IV2 3XI	
HC/INBS/126	The Coppice Hotel, Grant Road, Grantown on Spey PH26 3LD	Frasa Hotels Ltd (In liquidation) 28 High Street Nairn IV12 4AU	Closed – ceased to trade
HC/INBS/26	Silverfjord Ruthven Road Kingussie PH21 1ES	Silverfjord Kingussie Limited 63 Saughton Road North Edinburgh EH12 7JA	Closed
HC/INBS/267	Vogue (Miami) Baron Taylors Close 39 High Street, Inverness IV1 1HT	Corrdon Ltd 126 West Regent Street Glasgow G2 2BH.	
HC/RSL/1576	M.V. Cromarty Queen, Cromarty Harbour, Cromarty	Thomas James Henderson, Udale Fam, Poyntzfield, by Dingwall, IV7 8LY	Non-payment of premises annual renewal fee.

HC/RSL/1053	Innseagan House Hotel, Achintore Road, Fort William	The Firm of Innseagan House Hotel, Waverley House, Church Street, Ashley, Nr Newmarket	Non-payment of premises annual renewal fee.
HC/RSL/1544	Sonachan Hotel, Kilchoan	Helen Ferguson, Sonachan Hotel, Kilchoan	Non-payment of premises annual renewal fee.
HC/RSL/1539	Ferry Stores, Kilchoan	Jonathan Ball, Ferry Stores House, Kilchoan	Non-payment of premises annual renewal fee
HC/RSL/0960	The Picture House, High Street, Dingwall, IV15 9RY	Joseph Sweeney, Milnfield House, 83 Kingsmills Road, Inverness, IV2 2LN	Non-payment of premises annual renewal fee.
HC/CSER/1733	Caithness Balti House 134 High Street Wick KW1 4LR	Abarok Ali 68 Perceval Road STORNOWAY Isle of Lewis HS21 2UG	Non-payment of premises part annual fee
HC/CSER/1445	Castle Hotel Castle Street Portmahomack IV20 1YE	Elizabeth A Morris 1 Castle Street Portmahomack IV20 1YE	Non-payment of premises annual renewal fee
HC/CSER/1690	Delny House Delny Invergordon IV18 0NP	Andrea Reid and Carl Reid Delny House Delny Invergordon IV18 0NP	Non-payment of premises annual renewal fee
HC/CSER/0908	Dornoch Bridge Inn Meikleferry South By Tain IV19 1JX	Dornoch Bridge Inn Meikleferry South By Tain IV19 1JX	Non-payment of premises annual renewal fee