

The Highland Licensing Board

Meeting – 9 June 2017

Agenda Item	9.1
Report No	HLB/049/17

Application for the grant of a premises licence under the Licensing (Scotland) Act 2005

Inverness College UHI, Inverness Campus, Inverness, IV2 5NA

Report by the Clerk to the Licensing Board

Summary

This Report relates to an application for the grant of a premises licence in respect of Inverness College UHI, Inverness Campus, Inverness.

1.0 Description of premises

1.1 The Inverness College UHI is situated on the outskirts of Inverness, stands in its own grounds close to the golden bridge on A9 Perth road and consists of shieling training restaurant, lochan café plus outside terrace, atrium all on the ground floor and corrie café on the second floor.

2.0 Operating hours

2.1 The applicant seeks the following **on-sale** hours:

On sales:

Monday to Sunday: 1100 hours to 0100 hrs

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

Off sales:

Monday to Sunday: 1000 hours to 0100 hours

3.0 Background

3.1 On 27 March 2017 the Licensing Board received an application for the grant of a premises licence from Inverness College UHI.

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

- 3.2 The application was publicised during the period 17 April until 8 May 2017 and confirmation that the site notice was displayed has been received.
- 3.3 In accordance with standard procedure, Police Scotland, the Scottish Fire & Rescue Service and the Council's Community Services (Environmental Health) and Planning and Building Standards were consulted on the application.
- 3.4 Notification of the application was also sent to NHS Highland and the local Community Council.
- 3.5 Further to this publication and consultation process, no timeous objections or representations have been received.
- 3.6 The applicant must nevertheless be given the opportunity to be heard before the Board determines the application and has accordingly been invited to the meeting. The applicant has been advised of the hearings procedure which may also be viewed via the following link:

http://highland.gov.uk/hlb_hearings

4.0 Legislation

- 4.1 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 are: -

1. that the premises are excluded premises;
 2. that the grant of the application would be inconsistent with one or more of the licensing objectives;
 3. that 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,the Board considers the premises are unsuitable for use for the sale of alcohol, or
 4. that 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 overprovision of licensed premises of that description in the locality.
- 4.2 If the Board would refuse the application as made, but a modification is proposed by them and accepted by the applicant, the application can be granted as so modified.

5.0 Licensing Standards Officer

5.1 The LSO has provided the following comments:-

(i) A premises licence application has been submitted in respect of the Inverness college UHI campus. The college is a large educational establishment, which runs a number of courses designed to equip students for a number of occupations within the hospitality industry. In addition, the venue hosts a number of craft fairs, which can involve artisan alcohol producers showcasing their products, as well as conducting graduation ceremonies and corporate business where alcohol may be supplied to guests.

(ii) No rateable value for the premises is shown and the licence will come under the category 1 tariff.

(iii) The application seeks to licence specific areas of the campus, in order to assist on the occasions where there is a need to provide alcohol, namely, on the ground floor, the sheiling training restaurant, lochan café and outside terrace, the atrium reception area to the campus and on the second floor the corrie cafeteria. The sheiling training restaurant already operates substantially as a licensed premises, facilitated by occasional licences applied for back to back, this is to give students as realistic as possible experience of working in a fully functioning licensed restaurant, it also helps offset college costs, in allowing food and alcohol to be sold to customers on the college's behalf.

(iv) The food and hospitality section is overseen by staff who have a strong provenance within the industry, and many hold personal licences. The college also provides a learning centre for persons to obtain the Scottish certificate of a personal licence holder qualification.

(v) The premises have been visited by the LSO and are suitable for the sale of alcohol as described within the operating plan. The necessary section 50 certificates in respect of planning, building standards and food hygiene have been submitted, as have copies of competent layout plans.

(vi) There is no specific bar counter as such, the outside drinking area is within the campus and there are no nearby residential properties so therefore, no likelihood of the "public nuisance" licensing objective being infringed exists.

(vii) From enquiries carried out into this application by the LSO, he is of the opinion that it is compliant with the licensing objectives.

6.0 HLB local policies

6.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2013-18
- (2) Highland Licensing Board Equality Strategy

7.0 Conditions

7.1 Mandatory conditions

If the application is approved the mandatory conditions set out in Schedule 3 of the Act will apply.

7.2 Local conditions

No local conditions are considered necessary.

7.3 Special conditions

The Board may wish to consider attaching the following special conditions:

- (1) On any occasion such as, food and produce fairs where alcohol is being sold by independent producers under the college alcohol premises licence, the licence holder shall ensure that any staff employed or engaged to sell or serve alcohol have completed mandatory licensing training as prescribed in the Licensing (Training of Staff) Scotland Regulations 2007.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed special condition detailed at para 7.3 above.

If the Board is minded to refuse the application, the Board must specify the ground for refusal and, if the ground for refusal is in relation to a licensing objective, the Board must specify the objective in question.

Reference: HC/INBS/609

Date: 10 May 2017

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