

**The Highland Licensing Board**

**Meeting – 27 March 2018**

Agenda Item	<b>9.6</b>
Report No	<b>HLB/026/18</b>

**Application for a major variation of premises licence under the Licensing (Scotland) Act 2005**

**Corroul Station House Restaurant, Corroul Estate, Fort William, PH30 4AA**

**Report by the Clerk to the Licensing Board**

**Summary**

This report relates to an application for a major variation of premises licence by Corroul Lands Trust, 6<sup>th</sup> Floor, 5 Young Street, London.

**1.0 Description of premises**

1.1 Corroul Station House Restaurant is located at Corroul Station on the west highland line between Tulloch and Rannoch Railway Stations.

**2.0 Current operating hours**

The premises currently enjoys the following operating hours:

**On sales:**

Monday to Saturday: 1100 hours to 2200 hours  
Sunday: 1230 hours to 1800 hours

**Off sales:**

Monday to Saturday: 1000 hours to 2100 hours  
Sunday: 1230 hours to 1800 hours

**3.0 Summary of variation application**

**3.1 Variation sought**

The applicant seeks to vary the premises licence as follows:-

- (1) Increase core on-sale opening hour on Sunday to 1100 hours
- (2) Increase core off-sale opening hour on Sunday to 1000 hours
- (3) Increase terminal on-sale hour on Sunday to 2200 hours

- (4) Increase terminal off-sale hour Monday to Sunday to 2200 hours
- (5) Add the following additional activities to the operating plan which will be offered both during and outwith core hours: music, live performances and outdoor drinking facilities
- (6) Add restaurant activity outwith core hours
- (7) Update terms of children and young person's policy
- (8) Revise description of premises to reflect new activities
- (9) Update seasonal variation to take advantage of the Board's Festive Policy
- (10) Remove reference to hogmanay event at 5(f) and update to reflect new activities, namely shop within premises
- (11) Extend footprint of premises to include outdoor drinking area
- (12) Include within description of premises that a small shop selling souvenirs, books and other merchandise of interest to tourists is located within the premises

#### **4.0 Background**

- 4.1 On 1 February 2018 the Licensing Board received an application for a major variation of a premises licence from Corroul Lands Trust.
- 4.2 The application was publicised during the period 6 February 2018 until 27 February 2018 and confirmation that the site notice was displayed has been received.
- 4.3 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.
- 4.4 Notification of the application was also sent to NHS Highland and the local Community Council.
- 4.5 Further to this publication and consultation process, no timeous objections or representations have been received.
- 4.6 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](http://highland.gov.uk/hlb_hearings)

## **5.0 Legislation**

5.1 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 grant of the application will be inconsistent with one or more of the licensing objectives;
2. having regard to (i) the nature of the activities carried on or 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 in accordance with the proposed variation;
3. that the Board considers that, if the application were to be granted, there would, as a result, be overprovision of licensed premises, or licensed premises of the same or similar description as the subject premises, in the locality.

5.2 For the purposes of the Act, the licensing objectives are-

- (a) preventing crime and disorder,
- (b) securing public safety,
- (c) preventing public nuisance,
- (d) protecting and improving public health, and
- (e) protecting children and young persons from harm.

5.3 The Board only has power either to grant the application and make a variation of the conditions to which the licence is subject or to refuse the application.

5.4 If the Board refuses the application, the Board must specify the ground for refusal and if the ground for refusal relates to a licensing objective, the Board must specify the objective in question.

## **6.0 Licensing Standards Officer**

6.1 The LSO has provided the following comments:-

- (1) Corroul Station is a restaurant and café situated adjacent to the West Highland Railway Line at Corroul, Lochaber. An alcohol premises licence has been held for a number of years with a trouble free operating history.

- (2) The premises trade largely on a seasonal basis from spring to autumn. Visits have been carried out by the Licensing Standards Officer who has found the premises to be well managed and compliant with the requirements of their licence.
- (3) Application has been made by the licence holder to modernise and expand the current premises licence.
- (4) The applicant wishes to expand the core hours to offer a better service to customers, the changes to both on and off sales hours are within policy and will not impact adversely on the licensing objectives. A popular feature is to offer evening provision of alcohol with meals and diners can catch a Glasgow bound train in the early evening and thereafter return via a Fort William bound train in the late evening, the changes in hours compliment this operation.

6.6 The range of activities within section 5 of the operating plan have been expanded to accurately reflect the activities which might take place on the premises both within and outwith core hours. Section 5(f) has been updated with ancillary services provided to customers on the premises such as souvenirs and books for sale.

6.7 Lastly the children and young persons policy has been expanded to allow a greater degree of flexibility in allowing unsupervised children access dependent on maturity and behaviour during the day until 1800 hours to allow the purchase of soft drinks and foodstuffs; the area is popular for Duke of Edinburgh type excursions hence the change. The Licensing Standards Officer is of the opinion that the fifth licensing objective is still very adequately complied with.

6.8 The inclusion of an outside drinking area operating throughout core hours again is an appropriate activity which in this geographical location does not require conditioning.

## **7.0 HLB local policies**

7.1 The following policies are relevant to the application:-

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

## **8.0 Conditions**

### **8.1 Mandatory conditions**

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

## 8.2 Local conditions

Existing local conditions will continue to apply and no additional local conditions are considered necessary.

## 8.3 Special conditions

No special conditions are considered necessary.

### **Recommendation**

The Board is invited to determine the above application.

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/RSL/1155

Date: 1 March 2018

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