

The Highland Licensing Board

Meeting – 6 November 2018

Agenda Item	10.1
Report No	HLB/116/18

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

Premier Inn, Slice Restaurant, 18 Millburn Road, Inverness, IV2 3QX

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by Whitbread Group Plc, Houghton Hall Business Park, Porz Avenue, Dunstable, Bedfordshire, LU5 5XE.

1.0 Description of premises

1.1 Slice Restaurant is situated within its own grounds on the outskirts of Inverness town centre and consists of hotel, restaurant and bar.

2.0 Summary of variation application

2.1 Variation sought

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

- (1) To vary Q7 of the Operating Plan to reflect increase in residential occupancy by virtue of additional 9 bedrooms to be constructed, to read: Capacity Breakdown - residential occupancy - 64 rooms at an average of 4 persons = 256 persons.
- (2) To substitute new site plan 1933 L(07)002 to illustrate location of bedroom extension.
- (3) To substitute ground floor, first floor accommodation plans 1933 L(07)001 to illustrate location of new bedrooms.
- (4) Ground floor restaurant and second floor accommodation plans remain unchanged.

3.0 Background

- 3.1 On 30 July 2018 the Licensing Board received an application for a major variation of a premises licence from Whitbread Group Plc.
- 3.2 The application was publicised during the period 17 September until 8 October 2018 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 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.
- 4.2 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.

4.3 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.

4.4 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.

5.0 Licensing Standards Officer

5.1 The LSO has provided the following comments:-

(i) The Slice Restaurant, Millburn Road, Inverness is a long established restaurant attached to accommodation units on the site of the former Millburn Distillery, Inverness. The premises operate in their entirety as a premier inn.

(ii) A premises licence has been in place since the Licensing (Scotland) Act 2005 came into force. The licensing history is entirely trouble free and compliance visits carried out to the premises by the LSO have shown there to be strong levels of compliance.

(iii) A major variation application has been received by the Highland Licensing Board, asking to increase the estate by the construction of an additional 9 bedrooms. Amended lay out plans of acceptable standard have been submitted by the applicant. As a result, the overall capacity for accommodated guests has risen to 256 guests as recorded at section 7 of the operating plan.

(iv) The LSO is of the opinion that, this does not impact adversely on 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

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

7.3 Special conditions

No special conditions are considered necessary.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local conditions detailed at para. 7.2 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/239
Date: 22 October 2018
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