

**The Highland Licensing Board**

**Meeting – 2 December 2018**

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|-------------|-------------------|
| Agenda Item | <b>8.1</b>        |
| Report No   | <b>HLB/126/18</b> |

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

**James Pringle Weaver of Inverness, Holm Woollen Mill, Dores Road, Inverness, IV2 4RB**

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

**Summary**

This report relates to an application for a major variation of premises licence by The Edinburgh Woollen Mill Ltd, Waverley Mills, Langholm, Dumfriesshire, DG13 0EB.

**1.0 Description of premises**

1.1 Retail visitor centre within an old mill which is situated on the outskirts of Inverness and sells clothing, woollen goods, golfing goods, gift and tourist ranges including speciality liquor. It is a visitor destination for UK and international coach tours and has a licensed restaurant.

**2.0 Current operating hours**

2.1 The premises currently enjoys the following operating hours:

**On sales:**

Monday to Saturday: 1100 hours to 2000 hours  
Sunday: 1200 hours to 1700 hours

**Off sales:**

Monday to Sunday: 1000 hours to 2200 hours

**3.0 Summary of variation application**

**3.1 Variation sought**

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

(1) At Q2 amend opening time on Sunday from 1200 hrs to 1100 hrs and amend terminal hour seven days a week from 2000 hrs to 2200 hrs.

(2) At Q3 amend terminal hour seven days a week from 2000 hrs to 2200 hrs.

(3) At Q4 delete the current narrative and insert "We would seek to take advantage of any extended period of trading granted by the Board for significant local/national events, e.g. festive period and bank holidays, etc."

(4) At Q5(b) amend both Receptions, Club and other group meetings, etc., so to authorise these activities both during and out with core licensed hours.

(5) At Q5(c) amend Recorded Music and Live Performances so to authorise these activities both during and out with core licensing hours.

(6) Delete narrative relating to Column 4 and insert "The premises may be used for various activities as noted above out with core licensed hours. During this time the activities above may be provided but no alcohol would be sold out with core licensed hours."

(7) At Q5(f) insert the following text: "The retail sale (during and out with licensed hours) of a wide range of clothing, woollen goods, home wares, gifts and tourist items. The premises will also host events such as club meetings, parties and tastings. Santa's grotto will be available throughout the months of November and December."

#### **4.0 Background**

4.1 On 14 August 2018 the Licensing Board received an application for a major variation of a premises licence from The Edinburgh Woollen Mill Ltd.

4.2 The application was publicised during the period 22 October until 12 November 2018 and confirmation that the site notice was displayed has been received.

4.3 In accordance with standard procedure, Police Scotland, the Scottish Fire and 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, the following timeous notice of objection has been received and is appended:

David and Chris Taylor, Holm Mills Cottage, Holm Mills Road, Inverness, IV2 4RA

4.6 The applicant and the objector(s) have been invited to attend the hearing. Both have been advised of the hearings procedure which will be followed at the meeting and 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:-

- (i) Application for a major variation of the Premises Licence of James Pringle Weavers, Inverness has been submitted via Agents, TLT Solicitors. The premises occupy a large site off Dores Road, Inverness; the Premises consist of a gift shop with off sales and a restaurant which offers a small range of alcohol to accompany an extensive food provision. The premises are popular with tourists as well as local customers. The premises are served by a large car park. The location is a mixed commercial and residential area.

- (ii) The premises have held an alcohol Premises Licence since 2009. The operation of the premises has been entirely incident free. Regular compliance visits have been carried out by the LSO, which show good standards of licensing compliance.
- (iii) On occasions, extended hours applications have been submitted to facilitate sales evenings during the main tourist season and at Christmas. Such events have been incident free.
- (iv) Application has been made to alter the core hours of the premises for on sales to a terminal hour of 2200 hours, Monday to Sunday. Similarly matching hours are requested for off sales. Sunday on sales trading is requested to commence from 1100 hours. All these changes are within the policy hours of the Highland licensing Board. The changes are to facilitate more tourist evenings during the summer months and more Christmas shopping evenings, thereby, being able to enjoy shopping as well as being able to enjoy a meal within the restaurant. Having these hours built into the operating plan allows the premises flexibility, without having to make sporadic extended hours applications. Out with these times of key demand the premises will continue to trade under conventional shop hours.
- (v) Section 5 of the operating plan has been revised to offer a more comprehensive range of activities, which may be carried out on the premises according to demand. The description of activities at 5(f) has been expanded to more accurately reflect the full range of activities offered on the premises. Live performances have been added to allow seasonal entertainment, such as piping or a local choir at Christmas.
- (vi) It is the view of the LSO, that the proposed changes within the operating plan will not threaten the licensing objectives.

## **7.0 HLB local policies**

7.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2018-23
- (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

There are no existing local conditions and it is not considered necessary to attach any.

## 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/INBS/122

Date: 16 November 2018

Author: Marjory Bain

Appendices: David and Chris Taylor, Holm Mills Cottage, Holm Mills Road,  
Inverness,

IV2 4RA

## Licensing

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**From:** David Taylor  
**Sent:** 23 October 2018 23:03  
**To:** Licensing  
**Cc:** David Taylor  
**Subject:** objection to James Pringles licensing application

# **SUBJECT: Liquor licence applications - Inverness, Pringles Woollen Mill, Dores Road, Major Variation**

Dear Licensing board

I see that James Pringle have submitted a new application on 22<sup>nd</sup> October 2018

We object on the following grounds:

This is a quiet residential area and we do not want the area spoiled by late night alcohol fuelled music or other events.

Sound carries very well along the river and will create sleeping difficulties for children in particular especially during school days

There is already off-license provision at Tesco stores about ¼ mile away at the road to the new bridge.

Across the new bridge there are many pubs and shops selling alcohol.

There are safety issues with revellers leaving the premises near the river in an inebriated state.

**THIS OBJECTION STANDS FOR ANY RELEVANT FUTURE ALCOHOL APPLICATIONS BY JAMES PRINGLE SO PLEASE  
SAVE IT FOR FUTURE APPLICATIONS FROM THEM**

Regards  
David & Chris Taylor