

**The Highland Licensing Board**

**Meeting – 1 October 2019**

Agenda Item	<b>10.9</b>
Report No	<b>HLB/098/19</b>

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

**The Stronlossit Inn, Roy Bridge, PH31 4AG**

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

**Summary**

This report relates to an application for a major variation of premises licence by Mr Maurice Vallely, The Stronlossit Inn, Roy Bridge, PH31 4AG.

**1.0 Description of premises**

1.1 The Stronlossit Inn is a detached 10 bedroom country hotel situated in the rural village of Roy Bridge, adjacent to the A86.

**2.0 Current operating hours**

2.1 The premises currently enjoys the following operating hours:

**On sales:**

Monday to Thursday: 1100 hours to 0000 hours  
Friday and Saturday: 1100 hours to 0100 hours  
Sunday: 1230 hours to 2345 hours

**Off sales:**

Monday to Saturday. 1100 hours to 2200 hours  
Sunday: 1230 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) increase footprint of premises to accommodate new cellar at rear of premises.
- (2) increase core on-sale hours to 1100 hours to 0100 hours, Monday to Sunday.

- (3) increase core off-sale hours to 1000 hours to 2200 hours, Monday Sunday.

#### **4.0 Background**

- 4.1 On 14 August 2019 the Licensing Board received an application for a major variation of a premises licence from Mr Maurice Vallely, per Agents, MacPhee and Partners, Airds House, An Aird, Fort William.
- 4.2 The application was publicised during the period 21 August 2019 until 11 September 2019 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, no timeous objections or representations have been received however Building Standards have advised that a letter of comfort has been applied for in respect of the cellar extension.
- 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:-

- The Stronlossit Inn is a detached rural hotel located in the village of Roy Bridge, Lochaber.
- The premises have a trouble free operating history and compliance visits by the LSO have shown there to be good standards of licensing compliance.
- The application seeks to expand the current operating hours of the hotel to the full range of hours allowed to be operated by the Highland Licensing Board in terms of both on and off sales. Whilst on many occasions the hotel will not operate to its maximum in terms of hours, it will allow the hotel flexibility to offer customers a full range of options such as functions. The off sales, whilst a very small part of the business, does fill a need both for hotel residents and also locals as there is no longer a licensed village shop.
- The licensed footprint of the premises has been expanded to create new cellar facilities to the rear of the hotel. New layout plans in this regard have been lodged with the Board. No increase in capacity is occasioned by these changes.
- The LSO is satisfied that there will be no adverse impact on the licensing objectives should this application be granted.
- Licensing conditions already imposed on this licence shall remain.

## **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**

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/1389  
Date: 19 September 2019  
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