

The Highland Licensing Board

Meeting – 5 November 2019

Agenda Item	8.2
Report No	HLB/107/19

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

Royal Dornoch Golf Club, Golf Road, Dornoch

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by Royal Dornoch Golf Club.

1.0 Description of premises

1.1 A members club designed for the purpose of providing golf members and invited guests with a family friendly environment in which alcohol other refreshments and food items may be purchased and consumed during core licensed hours.

The Halfway House will provide golf members and invited guests the opportunity to purchase alcohol, other refreshments and food items during core licensed hours whilst playing golf on the Championship Course.

2.0 Current operating hours

2.1 The premises currently enjoys the following operating hours:

On sales:

Monday to Sunday: 1000 hours to 2200 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. Vary operating plan to show addition of off sales from display cabinet within the Golf Pro Shop.

2. Vary layout plan to incorporate off-sales from Golf Pro Shop on ground floor.

3. Amend description of premises to include provision of off sales from the Golf Pro Shop.

4.0 Background

4.1 On 22 August 2019 the Licensing Board received an application for a major variation of a premises licence from Royal Dornoch Golf Club.

4.2 The application was publicised during the period 18 September 2019 until 9 October 2019 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.

4.6 Further to this publication and consultation process, no timeous objections or representations have been received.

4.7 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

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:-

6.2 The Royal Dornoch Golf Club, based in Dornoch on the East Coast of Sutherland, is applying for a variation to its current premises licence to allow for increased capacity of off sales.

6.3 The Royal Dornoch Golf Club facility is a two storey purpose built detached building with office and changing facilities on the ground floor and bar and catering facilities on the second floor. There is also a golf professionals shop on the ground floor which is accessible from the main golf club foyer as well as from an external door.

6.4 The building sits on and is part of the Royal Dornoch Golf Course on the Eastern side of the community of Dornoch.

6.5 The premises currently have a licence authorising both on and off sales. The premises have an unblemished licensing history and are run according to their licensing conditions.

The premises has for many years operated with both on and off sales from the Clubhouse building, but not from the golf professionals shop which had historically been operated by the golf professional independently. The golf professionals shop is now owned and operated by the Royal Dornoch Golf Club and, as such, the applicant wishes to include the shop premises as part of the Club as a whole, with the ability to offer off sales of speciality spirit from

a small display cabinet within the shop. The alcohol on offer will be very limited amounts of primarily RDGC labelled speciality whisky which would be intended as gifts or mementos.

6.6 The intended off sales area is shown as on the layout plans.

6.7 The hours applied for are within policy and it is the opinion of the LSO that if the Board are minded to grant this application, there would be no adverse impact on the licensing objectives.

Following the public consultation phase of the application no objections or observations were received.

6.8 There are no extra local conditions suggested.

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/CSR/1088

Date: 16 October 2019

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