

## **HIGHLAND LICENSING BOARD**

During the coronavirus period, the Licensing (Scotland) Act 2005 has been temporarily amended to allow Board meetings to take place remotely.

Minute of the meeting of the Highland Licensing Board held remotely on Tuesday 12 January 2021 at 1.00 pm.

### **Present:**

Mr A Jarvie, Ms E Knox, Mrs L Macdonald (Convenor), Mr K Rosie, Mr A Sinclair and Mr C Smith.

### **In Attendance:**

Ms C McArthur, Clerk to the Board  
Mr I Meredith, Depute Clerk to the Board  
Mr G Cameron, Licensing Standards Officer  
Mr I Cox, Licensing Standards Officer  
Mrs A MacArthur, Administrative Assistant  
Ms A Macrae, Committee Administrator

### **Also In Attendance:**

Sergeant K Duncan, Police Scotland  
Mr M MacDonald, Police Scotland

Item 8.3: Mr A Green, solicitor and Ms M Gabbatiss, Trading Standards Manager

Item 10.1: Mr A Lovell, personal licence holder

Item 11.1: Mr J Rodriguez, personal licence holder

## **Briefing on Protocol for Webcasting of Meetings**

The Convenor advised the Board that the meeting would be filmed and broadcast over the internet on the Highland Council website and would be archived and available for viewing for 12 months.

### **1. Apologies for Absence Leisgeulan**

Apologies for absence were intimated on behalf of Mr J Bruce and Mr D Macpherson.

### **2. Declarations of Interest Foillseachaidhean Com-pàirt.**

There were no declarations of interest.

### **3. Confirmation of minutes Dearbhadh a' gheàrr-chunntais**

There was submitted for confirmation as a correct record the minute of the meeting of the Highland Licensing Board held on 1 December 2020.

The Minutes were held as read and **APPROVED**.

**4. Licensing (Scotland) Act 2005  
Licences granted under delegated powers  
Achd Ceadachd (Alba) 2005  
Ceadachdan a bhuilicheadh fo ùghdarras air a Thiomnadh**

There had been circulated **Report No HLB/001/21** detailing licences which had been granted under delegated powers by the Clerk to the Board during the period 19 November 2020 to 16 December 2020.

The Board **NOTED** the report.

**5. Licensing (Scotland) Act 2005  
Occasional licences and extended hours  
granted under Delegated Powers  
Achd Ceadachd (Alba) 2005  
Ceadachdan Corra-uair agus uairean sìnte a bhuilicheadh fo ùghdarras air a thiomnadh**

There had been circulated **Report No HLB/002/21** detailing occasional licences and extended hours applications which had been granted under delegated powers by the Clerk to the Board during the period 19 November 2020 to 16 December 2020.

The Board **NOTED** the report.

**6. Licensing (Scotland) Act 2005  
Applications for new premises licences  
Achd na Ceadachd (Alba) 2005  
Larrtas airson cheadachdan thogalaichean ura**

**6.1 Ref: HC/RSL/1954**

**Applicant:** Ardgour Ales Ltd

**Premises:** The Brewery, The Old Manse, Ardgour, By Fort William, PH33 7AH

**Type:** off sales

There had been circulated **Report No HLB/003/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a premises licence subject to the mandatory conditions only.

**7. Licensing (Scotland) Act 2005  
Applications for provisional premises licences  
Achd Ceadachd (Alba) 2005  
larrtas airson ceadachdan thogalaichean le cumha**

**7.1 Ref: HC/RSL/1953**

**Applicant:** Sleat Community Trading Company Limited

**Premises:** Armadale Stores, Armadale, Sleat, Isle of Skye, IV45 8RS

**Type:** off sales

There had been circulated **Report No HLB/004/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a premises licence subject to the mandatory conditions only.

**8. Licensing (Scotland) Act 2005**  
**Applications for variation (major) to premises licences**  
**Achd Ceadachd (Alba) 2005**  
**Iarrtasan airson Caochladh (Mòr) a thaobh ceadachdan thogalaichean**

**8.1 Ref: HC/INBS/170**

**Applicant:** Co-operative Group Food Limited, 1 Angel Square, Manchester, M60 0AG

**Premises:** Co-operative Group Food Limited, 61 Church Street, Inverness, IV1 1DR

**Type:** off sales

There had been circulated **Report No HLB/005/21** by the Clerk which invited the Board to determine the application.

The Clerk confirmed that a written submission had been received from the applicant's solicitor and circulated to the Board.

The Board **AGREED** to **GRANT** the application for a premises licence subject to the mandatory conditions only.

**8.2 Ref: HC/INBS/66**

**Applicant:** Co-operative Group Food Limited, 1 Angel Square, Manchester, M60 0AG

**Premises:** Co-op, King Street, Nairn, IV12 4DN

**Type:** off sales

There had been circulated **Report No HLB/006/21** by the Clerk which invited the Board to determine the application.

The Clerk confirmed that a written submission had been received from the applicant's solicitor and circulated to the Board.

The Board **AGREED** to **GRANT** the application for a premises licence subject to the mandatory conditions only.

**8.3 Ref: HC/INBS/249**

**Applicant:** Wm Morrisson Supermarkets PLC, Hillmore House, Gain Lane, Bradford, BD3 7DL

**Premises:** Morrisons, Millburn Road, Inverness, IV2 3TR

**Type:** off sales

There had been circulated **Report No HLB/007/21** by the Clerk which invited the Board to determine the application.

The applicant's solicitor was present and spoke in support of the application.

The Board **AGREED** to **GRANT** the application for a premises licence subject to the mandatory conditions only.

**9. Licensing (Scotland) Act 2005**  
**Application for variation (major) to provisional premises licences**  
**Achd Ceadachd (Alba) 2005**  
**Iarrtasan airson caochladh (mòr) a thaobh ceadachdan thogalaichean**

**9.1 Ref: HC/RSL/1939**

**Applicant:** Duncraig Castle Scotland Limited

**Premises:** Duncraig Castle Scotland Limited, Duncraig Castle, Plockton, IV52 8TZ

**Type:** on sales

There had been circulated **Report No HLB/008/21** by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for a premises licence subject to the mandatory conditions only.

**10. Licensing (Scotland) Act 2005 Section 83**  
**Achd Cheadachd (Alba) 2005, Earrann 83**

**10.1 Personal Licence Holder: Alexander Lovell**

There had been circulated **Report No HLB/009/21** by the Clerk.

The Clerk confirmed that Mr A Lovell, personal licence holder was present and that a written submission received from the licence holder's employer had been circulated to the Board.

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At this point, the Chair confirmed that a copy of a letter of support received from Mr Lovell's employer had been circulated to the Board.

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Following discussion, the Board **AGREED** to **ENDORSE** the personal licence. This was on the basis that the Board determined that it was necessary for the purposes of the licensing objectives, namely the prevention of crime and disorder.

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**11. Licensing (Scotland) Act 2005 Section 84 – conduct inconsistent with the licensing objectives**  
**Achd Cheadachd (Alba) 2005, Earrann 84**

**11.1 Personal Licence Holder: Juan Rodriguez**

There had been circulated **Report No HLB/010/21** by the Clerk.

The Clerk confirmed that Mr J Rodriguez, personal licence holder was present and that a written submission received from the applicant's solicitor had been circulated to the Board.

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Debate then followed in regard of the action to be taken by the Board in relation to Mr Rodriguez's personal licence, on the basis this was considered necessary for the purposes of the licensing objectives, namely the prevention of crime and disorder.

Ms E Knox, seconded by the Convener, moved that the personal licence be endorsed.

Mr A Jarvie moved as an amendment that the personal licence be suspended for a period of three months, but on failing to find a seconder the amendment fell.

The Board **AGREED** to **ENDORSE** the personal licence. This was on the basis that the Board determined that it was necessary for the purposes of the licensing objectives, namely the prevention of crime and disorder.

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Mr A Jarvie asked that his dissent from this decision be recorded.

**12. Surrender of premises licence**  
**Gèilleadh ceadachd togalaich**

**12.1 Premises:** Scots Kitchen, Main Street, Fort Augustus, PH32 4DD  
**Licence Holder:** Highland Inns Ltd

**12.2 Premises:** Ivy Bar and Kitchen, 25 Church Street, Inverness, IV1 1DY  
**Licence Holder:** Ivy Bar and Kitchen Ltd

**12.3 Premises:** Dragon Pearl Restaurant, 72 High Street, Nairn, IV12 4AU  
**Licence Holder:** Tan Brothers

**12.4 Premises:** Reay Shop, Main Street, Reay  
**Licence Holder:** David and Eileen Wild

**12.5 Premises:** Caledonian Inn, 28/30 King Street, Invergordon  
**Licence Holder:** Summit Highland Limited

**12.6 Premises:** Riverside Tavern, High Street, Conon Bridge  
**Licence Holder:** George Nixon

The Board **NOTED** that the above Premises Licences had been surrendered in terms of Section 28(5)(f).

The meeting ended at 1.55pm.