

## HIGHLAND LICENSING BOARD

Minute of the meeting of the **Highland Licensing Board** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Tuesday 9 August 2022 at 1pm.

### **Present:**

Mr C Birt, Mr J Bruce, Mr J Grafton, Ms J Hendry, Mr S Kennedy, Mr D Macpherson, Mr D Millar, Mr P Oldham, Mr K Rosie.

### **In Attendance:**

Mr I Meredith, Depute Clerk to the Board  
Mr G Cameron, Licensing Standards Officer  
Mr I Cox, Licensing Standards Officer  
Ms A Macrae, Committee Administrator

### **Also In Attendance:**

Inspector G Brown, Police Scotland

Item 6.1 - Campbell Dickson (applicant), Michael MacDougall (TLT Solicitors)  
Item 6.2 - Campbell Dickson (applicant), Michael MacDougall (TLT Solicitors)  
Item 6.3 - Michael MacDougall (TLT Solicitors)  
Item 6.4 - Neil Swanney (applicant)  
Item 7.1 - Robert Hayes (licensing manager), Niall Hassard (TLT Solicitors)  
Item 7.2 - Hardish Purewall (applicant), Audrey Ferrie (Pinsent Masons)  
Item 7.3 - Annie Allan (applicant)  
Item 8.1 - Andrew Hunter (Harper Macleod)  
Item 8.2 - Caroline Loudon (TLT Solicitors)  
Item 8.3 - Caroline Loudon (TLT Solicitors)  
Item 8.4 - Caroline Loudon (TLT Solicitors)  
Item 8.5 - Norman Gillies (applicant), Alistair Macdonald (Macdonald Licensing)

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

The Convener 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**

An apology for absence was intimated on behalf of Ms E Knox.

#### **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 20 June 2022.

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/061/21** detailing licences which had been granted under delegated powers by the Clerk to the Board during the period 9 June 2022 to 27 July 2022.

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/062/21** detailing occasional licences and extended hours applications which had been granted under delegated powers by the Clerk to the Board during the period 9 June 2022 to 27 July 2022.

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/2014

Applicant: Caledonian Skye (Skye) Ltd, per TLT Solicitors, 41 West Campbell Street, Glasgow, G2 6SE

Premises: Caledonian Café, Wentworth Street, Portree, Isle of Skye, IV51 9EJ

Type: On and off sales

There had been circulated Report No HLB/063/22 by the Clerk which invited the Board to determine the application.

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

## **6.2 Ref: HC/RSL/2015**

Applicant: Caledonian Skye (Skye) Ltd, per TLT Solicitors, 41 West Campbell Street, Glasgow, G2 6SE

Premises: Granary Restaurant, Somerled Square, Portree, Isle of Skye, IV51 9EH

Type: On and off sales

There had been circulated Report No HLB/064/22 by the Clerk which advised that a timeous notice of objection had been received from Lachlan MacLeod. The Board was invited the Board to determine the application.

The Board heard from M MacDougall for the applicant in relation to the objection. The Clerk confirmed that the issues raised in the objection related to the Companies Act 2006 and were not relevant to the Board's consideration of the licensing application.

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

## **6.3 Ref: HC/CSR/2012**

Applicant: Ardvreck Guest House Partnership

Premises: Ardvreck Guest House, North Road, Morefield Brae, Ullapool

Type: On sales

There had been circulated Report No HLB/065/22 by the Clerk which invited the Board to determine the application.

The Board **AGREED to GRANT** the application for new premises licence subject to the mandatory conditions and local conditions (f) and (m).

## **6.4 Ref: HC/INBS/670**

Applicant: WoodWinters Wines & Whiskies, Unit 4/5 Borrowmeadow Road, Stirling, FK7 7FB

Premises: WoodWinters Wines & Whiskies, 99 Church Street, Inverness, IV1 1ES

Type: Off sales

There had been circulated Report No HLB/066/22 by the Clerk which invited the Board to determine the application.

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

## **7. Licensing (Scotland) Act 2005**

### **Applications for provisional premises licences**

### **Achd Ceadachd (Alba) 2005**

### **Iarrtas airson ceadachdan thogalaichean le cumha**

## **7.1 Ref: HC/INBS/671**

Applicant: Iceland Foods Limited, Second Avenue, Deeside Industrial Park, Deeside, Flintshire, CH5 2NW

Premises: Food Warehouse, Unit 1 Telford Retail Park, Telford Street,  
Inverness, IV3 5LU  
Type: Off sales

There had been circulated Report No HLB/067/22 by the Clerk which invited the Board to determine the application.

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

#### 7.2 Ref: HC/RSL/2017

Applicant: Tesco Stores Limited per Pinsent Masons LLP, 141 Bothwell Street,  
Glasgow, G2 7EQ  
Premises: Tesco Express (New Store), Unit 1, 2 Airds Crossing, Fort William,  
PH33 6EU  
Type: Off sales

There had been circulated Report No HLB/068/22 by the Clerk which invited the Board to determine the application.

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

#### 7.3 Ref:HC/RSL/2016

Applicant: Isle of Skye Experimental Spirits Ltd, Dean Bank Lodge, Dean Bank  
Lane, Edinburgh, EH3 5BA  
Premises: Broadford Distillery, Ford Road, Broadford, Isle of Skye, IV49 9AB  
Type: On sales and off sales

There had been circulated Report No HLB/069/22 by the Clerk which advised that a timeous notice objection had been received from Planning and Environment, Highland Council. The Board was invited to determine the application.

A Allan, applicant, confirmed that in relation to the objection a planning application had now been submitted for the outdoor seating area and in response to a question she provided further details in relation to this matter.

The Clerk advised that the grant of the application, would not override the need for planning permission to be granted for the outdoor seating area before it could be used as such.

The Board **AGREED** to **GRANT** the application for a provisional licence subject to local conditions (g) and (m).

### **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/378

Applicant: Motor Fuel Limited, Gladstone Place, 36-38 Upper Marlborough Road, St Albans, AL1 3UU per Harper MacLeod LLP, 45 Gordon Street, Glasgow, G1 3PE  
Premises: Motor Fuel, Perth Road, Newtonmore, PH20 1AP  
Type: Off sales

There had been circulated Report No HLB/070/22 by the Clerk which invited the Board to determine the application.

A written submission had been received from the applicant's representative and circulated to the Board.

The Board **AGREED** to **GRANT** the application for major variation to the licence subject to the existing conditions only.

**8.2** Ref: HC/RSL/1077

Applicant: C J Lang & Son Ltd, per TLT Solicitors, 140 West George Street, Glasgow, G2 2HG  
Premises: Spar, Claggan Road, Fort William, PH33 6QL  
Type: Off sales

There had been circulated Report No HLB/071/22 by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for major variation to the licence subject to the existing conditions only.

**8.3** Ref: HC/RSL/0209

Applicant: C J Lang & Son Ltd, per TLT Solicitors, 140 West George Street, Glasgow, G2 2HG  
Premises: Spar, Grange Road, Fort William, PH33 6JF  
Type: Off sales

There had been circulated Report No HLB/072/22 by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for major variation to the licence subject to the existing conditions only.

**8.4** Ref: HC/RSL/0655

Applicant: C J Lang & Son Ltd, per TLT Solicitors, 140 West George Street, Glasgow, G2 2HG  
Premises: Spar, The Harbour, Arisaig, PH39 4NH  
Type: Off sales

There had been circulated Report No HLB/073/22 by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for major variation to the licence subject to the existing conditions only.

### **8.5** Ref: HC/RSL/1835

Applicant: R&B Distillers Limited per Macdonald Licensing, 21a Rutland Square, Edinburgh, EH1 2BB

Premises: Isle of Raasay Distillery (Shop, Visitors Centre and Accommodation), Isle of Raasay, Kyle, IV40 8PB

Type: On and off sales

There had been circulated Report No HLB/074/22 by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for major variation to the licence subject to the existing conditions and local condition (m).

### **8.6** Ref: HC/RSL/0821

Applicant: Praban Na Linne Ltd, Eilean Iarmain, Isle of Skye, IV43 8QR

Premises: Praban Na Linne Ltd, Eilean Iarmain, Isle of Skye, IV43 8QR

Type: On and off sales

There had been circulated Report No HLB/075/22 by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the application for major variation to the licence subject to the existing conditions only.

## **9. Application for personal licence Iarrtas airson ceadachd phearsanta**

### **9.1 Applicant: Tom Morrow**

There had been circulated Report No HLB/076/22 by the Clerk which advised that Police Scotland had submitted a timeous written submission in relation to the application, a copy of which was appended to the report.

The Clerk confirmed that Mr T Morrow, applicant, was not present but had submitted a written submission in support of his application, a copy of which had been circulated to the Board.

Inspector G Brown referred to the terms of Police Scotland's representation in relation to the application.

In discussion, the Clerk confirmed that the Council's guidance for personal licence applications would be reviewed in terms of the potential to provide more clarification to applicants.

Following further discussion, the Board **AGREED** to **GRANT** the application for a personal licence.

The meeting closed at 1.50pm.

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