

HIGHLAND LICENSING BOARD

Minute of the meeting of the **Highland Licensing Board** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Tuesday 14 February 2023 at 1.45pm.

Present:

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

In Attendance:

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

Also In Attendance:

M Macdonald, Police Scotland

Item 7.3: David Stroud & Clare Coghill, applicants

Item 8.1: Karen Gatherum, solicitor

Item 9.1: Gordon Barron, premises manager

Item 9.4: Joanna Mackenzie, premises manager

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

There were no apologies for absence.

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 10 January 2023.

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/001/23** detailing licences which had been granted under delegated powers by the Clerk to the Board during the period 15 December 2022 to 1 February 2023 and inviting the Board to note the Report.

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/002/23 detailing Occasional Licences and Extended Hours applications which had been granted under delegated powers by the Clerk to the Board during the period 15 December 2022 to 1 February 2023 and inviting the Board to note the Report.

The Board **NOTED** the report.

**6. Highland Licensing Board
Policy Statement 2023-2028
Aithris Poileasaidh Bòrd
Ceadachd na Gàidhealtachd 2023-2028**

There had been circulated Report No HLB/009/23 by the Clerk to the Board inviting the Board to agree a timetable for preparation and adoption of its next Policy Statement for the period November 2023 to November 2028.

The Board **AGREED** the proposed timetable for preparation and adoption of its Policy Statement 2023-2028 as set out in Appendix 1 to the report.

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

7.1 Ref: HC/INBS/679

Applicant: Partnership of Polly and Ross Cameron, The Dell of Abernethy, Dell Road, Nethy Bridge, PH25 3DL

Premises: The Dell of Abernethy, Dell Road, Nethy Bridge, PH25 3DL

Type: on and off sales

There had been circulated Report No HLB/010/23 by the Clerk which invited the Board to determine the application.

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

7.2 Ref: HC/INBS/678

Applicant: Campbells of Beauly, High Street, Beauly, IV4 7BU

Premises: Campbells of Beauly, High Street, Beauly, IV4 7BU

Type: off sales

There had been circulated Report No HLB/011/23 by the Clerk which invited the Board to determine the application.

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

7.3 Ref: HC/RSL/2031

Applicant: Café Cùil Ltd, Old Trien House, Carbost, Isle of Skye, IV47 8SU

Premises: Café Cùil, 4 Satran, Carbost, Isle of Skye, IV47 8SU

Type: On and off sales

There had been circulated Report No HLB/012/23 by the Clerk which invited the Board to determine the application.

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

8. Licensing (Scotland) Act 2005

Applications for provisional premises licences

Achd Ceadachd (Alba) 2005

Iarrtas airson ceadachdan thogalaichean le cumha

8.1 Ref: HC/RSL/2034

Applicant: Island Way Ltd, per Ledingham Chalmers LLP, Johnstone House, 52-54 Rose Street, Aberdeen, AB10 1HA

Premises: The Pit Stop at Kintail, Aultachruine, Glenshiel, Kyle, IV40 8HN

Type: On sales

There had been circulated Report No HLB/013/23 by the Clerk which invited the Board to determine the application.

In response to a question, the Board heard from the solicitor for the applicant and Licensing Standards Officer in relation to recommended local condition (m) that after 2200 hours alcoholic or non-alcoholic drinks shall not be consumed in any outdoor area.

Thereafter, Mr S Kennedy seconded by Mr D Millar **moved** to grant the application subject to the mandatory conditions only.

Mrs D Macpherson seconded by Ms J Hendry moved as an **amendment** to grant the application subject to the mandatory conditions and local condition (m).

On a vote being taken, there were 3 votes for the motion, 7 for the amendment and no abstentions, and the **AMENDMENT** was carried, the votes having been cast as follows:

For the motion: Mr C Birt, Mr S Kennedy, Mr D Millar.

For the amendment: Mr J Bruce, Mr J Grafton, Ms J Hendry, Ms E Knox, Mr D Macpherson, Mr P Oldham, Mr K Rosie.

Decision

The Board **AGREED** to **GRANT** the provisional premises licence subject to the mandatory conditions and local condition (m).

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

9.1 Ref: HC/INBS/31

Applicant: Inverness Ice Centre Ltd, Bught Drive, Inverness, IV3 5SR

Premises: Inverness Ice Centre, Bught Drive, Inverness, IV3 5SR

Type: on and off sales

There had been circulated Report No HLB/014/23 by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the major variation to the premises licence subject to the mandatory conditions and the existing local and special conditions.

9.2 Ref: HC/INBS/50

Applicant: Bridge End Filling Station Ltd, Station Road, Beauly, IV4 7EH

Premises: Bridge End Filling Station, Station Road, Beauly, IV4 7EH

Type: off sales

There had been circulated Report No HLB/015/23 by the Clerk which invited the Board to determine the application.

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

9.3 Ref: HC/RSL/1834

Applicant: Torabhaig Distillery Ltd, Teangue, Sleat, Isle of Skye, IV44 8RE

Premises: Torabhaig Distillery Ltd, Teangue, Sleat, Isle of Skye, IV44 8RE

Type: On and off sales

There had been circulated Report No HLB/016/23 by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the major variation to the premises licence subject to the mandatory conditions only.

9.4 Ref: HC/CSR/0854

Applicant: Clean Bees Ltd

Premises: The Store, Bettyhill, KW14 7SS

Type: On and off sales

There had been circulated Report No HLB/017/23 by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the major variation to the premises licence subject to the mandatory conditions and local condition (m).

9.5 Ref: HC/CSR/0912

Applicant: Thomas Brodie

Premises: Commercial Hotel, 21-23 High Street, Alness

Type: On and off sales

There had been circulated Report No HLB/018/23 by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the major variation to the premises licence subject to the mandatory conditions and local conditions (l) and (n)(i).

9.6 Ref: HC/CSR/0607

Applicant: William, Moira, James Cameron

Premises: Sands Caravan and Camping, Gairloch

Type: On and off sales

There had been circulated Report No HLB/019/23 by the Clerk which invited the Board to determine the application.

The Board **AGREED** to **GRANT** the major variation to the premises licence subject to the mandatory conditions and local condition (l).

10. Application for personal licence larrtas airson ceadachd phearsanta

10.1 Applicant: Jennifer Robertson

There had been circulated Report No HLB/020/23 by the Clerk which advised that a timeous notice had been received from Police Scotland [REDACTED]

The applicant was not in attendance.

The Depute Clerk advised that the applicant had also been formally notified of the Board meeting and that a number of attempts by licensing staff to contact the applicant to confirm attendance or otherwise, had been unsuccessful.

The Board then heard from M Macdonald, Police Scotland in relation to the application.

The Board **REFUSED** the application on the grounds that, having regard to the licensing objectives, namely preventing crime and disorder and securing public safety, the applicant was not a fit and proper person to be the holder of a personal licence.



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

**11.1 Premises: House of Clan Jamfrie, 129 High Street, Fort William
Licence Holder: Irene Purdon**

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

The meeting closed at 1.50pm.
