

The Highland Licensing Board

Meeting – 9 May 2023

Agenda Item	7.6
Report No	HLB/049/23

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

Ravenswood House, Ravenswood, Corpach, Fort William, PH33 7JJ

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for the grant of a premises licence in respect of Ravenswood House, Ravenswood, Corpach, Fort William, PH33 7JJ.

1.0 Description of premises

1.1 Ravenswood House is an upper floor Victorian period property located in the village of Corpach, near Fort William.

The premises operates as a bed and breakfast establishment and the licensed area comprises of two letting bedrooms with ensuite facilities, an entrance foyer and a guest lounge. The premises can accommodate a total occupancy of 4 guests. Alcohol will be served on a residents only basis.

The property owner's accommodation is excluded from the licensed premises.

2.0 Operating hours

2.1 The applicant seeks the following **on sales** hours:

On sales:

Monday to Sunday: 1100 hours to 2300 hours

3.0 Background

3.1 On 8 March 2023 the Licensing Board received an application for the grant of a premises licence from Ravenswood House Limited.

The application was accompanied by the necessary section 50 certification in terms of Planning, Building Standards and Food Hygiene, together with a Disabled Access Statement.

3.2 The application was publicised during the period 6 April 2023 until 27 April 2023 and confirmation that the site notice was displayed has been received.

3.3 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.

- The Building Standards Authority responded to the application confirming that whilst they had no objections to the licence being granted in principle. They noted the applicant had applied for an occupancy of four adults and three children. Given that the premises is a dwelling, Building Standards advised the allowable bed and breakfast use is for two double bedrooms, thereby an occupancy of four persons.

Considering the response received from Building Standards, the applicant agreed to amend their application and reduce the capacity of the premises to a maximum of four persons.

- At the time of writing, a response was awaited from the Scottish Fire and Rescue Service. The Clerk will provide a verbal update.

3.4 Notification of the application was also sent to NHS Highland and the local Community Council.

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

3.6 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:

[Highland Licensing Board - Hearings](#)

4.0 Legislation

4.1 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 are: -

1. that the premises are excluded premises;
2. that the Board considers, having regard to the licensing objectives, that the applicant is not a fit and proper person to be the holder of a premises licence;

3. that the grant of the application would be inconsistent with one or more of the licensing objectives;
4. that having regard to;
 - (i) the nature of the activities 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, or
5. 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.

4.2 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.

4.3 If the Board would refuse the application as made, but a modification is proposed by them and accepted by the applicant, the application can be granted as so modified.

5.0 Licensing Standards Officer

5.1 The LSO has provided the following comments:-

- The premises to be licensed are the Bed and Breakfast part of Ravenshead House which is constructed of stone/block/slate.
- The application is for on sales only.
- The applicant reduced the capacity applied for to a maximum occupancy of four persons, following guidance received from Building Standards.
- The application is consistent with the five licensing objectives.
- The application is consistent with the Highland Licensing Board policy.
- The application is to offer the opportunity for guests to purchase and enjoy a drink on the premises as we are seeing on more and more applications.
- This application is for residents only and is for internal use.

- There have been no objections to this application.
- I have no objections to this application as this is as stated earlier, an extra service to offer their guests.

6.0 HLB local policies

6.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2018-23
- (2) Highland Licensing Board Equality Strategy

7.0 Conditions

7.1 Mandatory conditions

If the application is approved the mandatory conditions set out in Schedule 3 of the Act will apply.

7.2 Local conditions

No local conditions are considered necessary.

7.3 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/2053

Date: 28 April 2023

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