

**The Highland Licensing Board**

**Meeting – 1 August 2023**

Agenda Item	<b>6.3</b>
Report No	<b>HLB/079/23</b>

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

**Highland Liquor Company Bottle Shop, 55B High Street, Fort William, PH33 6DH**

**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 the Highland Liquor Company Bottle Shop, 55B High Street, Fort William, PH33 6DH.

**1.0 Description of premises**

1.1 The Highland Liquor Company Bottle Shop is in a central location within Fort William's High Street and will offer for sale Highland Liquor Company branded products plus a range of wines, beers, cider, spirits, low and non-alcoholic beverages, soft drinks and complementary snacks. There will also be an online shop run from the premises. The shop will be used as on and off sales premises, the latter to allow for closed door ticketed tasting events and sessions.

**2.0 Operating hours**

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

**On sales:**

Monday to Sunday: 1100 hours to 2200 hours

The applicant seeks the following **off sales** hours:

**Off sales:**

Monday to Sunday: 1000 hrs to 2200 hours

<b>3.0</b>	<b>Background</b>
3.1	On 26 April 2023 the Licensing Board received an application for the grant of a premises licence from Highland Liquor Company, having its registered office at 23 Market Street, Ullapool, IV26 2XE.
	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 28 June until 19 July 2023 and confirmation that the site notice was displayed is awaited. The Clerk will provide a verbal update to the meeting.
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.
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:  <a href="#">Highland Licensing Board - Hearings</a>
<b>4.0</b>	<b>Legislation</b>
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;

	<p>4. that having regard to;</p> <p>(i) the nature of the activities proposed to be carried on in the subject premises,</p> <p>(ii) the location character and condition of the premises, and</p> <p>(iii) the persons likely to frequent the premises,</p> <p>the Board considers the premises are unsuitable for use for the sale of alcohol, or</p>
	<p>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.</p>
4.2	<p>For the purposes of the Act, the licensing objectives are-</p> <p>(a) preventing crime and disorder,</p> <p>(b) securing public safety,</p> <p>(c) preventing public nuisance,</p> <p>(d) protecting and improving public health, and</p> <p>(e) protecting children and young persons from harm.</p>
4.3	<p>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.</p>
<b>5.0</b>	<b>Licensing Standards Officer</b>
5.1	The LSO has provided the following comments:-
(1)	The premises consist of a one room shop in Fort William selling their own Highland Liquor Company products plus a range of wines, beers, cider, spirits, low and non-alcoholic beverages, soft drinks and complimentary snacks.
(2)	The application is within Highland Licensing Board policy.
(3)	The application is consistent with the licensing objectives.
(4)	The applicant operates another shop in Ullapool and the Fort William branch is a natural move as they try to expand the business.
(5)	The business has been operating under Occasional Licences for about a year with no adverse effects or reports, this is the logical next step to obtain a Premises Licence.
(6)	No objections have been received in respect of the application.
(7)	I have no objections to this application.

<b>6.0</b>	<b>HLB local policies</b>
6.1	The following policies are relevant to the application:-  (1) Highland Licensing Board Policy Statement 2018-23 (2) Highland Licensing Board Equality Strategy
<b>7.0</b>	<b>Conditions</b>
7.1	<b>Mandatory conditions</b>  If the application is approved the mandatory conditions set out in Schedule 3 of the Act will apply.
7.2	<b>Local conditions</b>  No local conditions are considered necessary.
7.3	<b>Special conditions</b>  No special conditions are considered necessary.
<b>Recommendation</b>	
<p>The Board is invited to determine the above application.</p> <p>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.</p>	

Reference: HC/RSL/2072

Date: 20 July 2023

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