

The Highland Licensing Board

Meeting – 1 August 2023

Agenda Item	8.10
Report No	HLB/091/23

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

The Highland Soap Company Visitor Centre & Café, Old Inverloch Castle, North Road, Fort William, PH33 6TQ

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by The Highland Soap Company Limited, Inverloch Mains, North Road, Fort William, Scotland, PH33 6TQ.

1.0	Description of premises
1.1	The premises is a purpose built 110 seater café, shop and visitor centre with plentiful parking provision located on the outskirts of Fort William, just beyond the main A82.
2.0	Summary of variation application
2.1	Variation sought
	The applicant seeks to vary the premises licence as follows:-
(1)	Increase footprint of licensed premises to include entire premises (due to relocation of soap production unit to separate premises);
(2)	Within operating plan add the following activity also to be offered outwith core licensed hours:- Receptions;
(3)	Within operating plan add the following activities to be offered both within and outwith core licensed hours:- Club or other group meetings;
(4)	Relocate and increase off-sale display capacity from 10sqm to 19sqm;
(5)	Provide updated layout plans.

3.0	Background
3.1	On 13 April 2023 the Licensing Board received an application for a major variation of a premises licence from The Highland Soap Company Limited.
3.2	The application was publicised during the period 27 June 2023 until 18 July 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.
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: www.highland.gov.uk/hlb_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 may be: -
	1. the grant of the application will be inconsistent with one or more of the licensing objectives;
	2. having regard to (i) the nature of the activities carried on or 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 in accordance with the proposed variation;
	3. 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	The Board only has power either to grant the application and make a variation of the conditions to which the licence is subject or to refuse the application.
4.4	If the Board refuses the application, the Board must specify the ground for refusal and if the ground for refusal relates to a licensing objective, the Board must specify the objective in question.
5.0	Licensing Standards Officer
5.1	The LSO has provided the following comments:-
(1)	The premises comprise a purpose built 110 seater café, shop and visitor centre, with plentiful parking bordered by well maintained lawns which may be used to host events.
(2)	Variation is to show new retail space for off-sales which is still well within the capacity allowed under Highland Licensing Board policy, increase the licensed footprint and to tidy up some wording on the operating plan.
(3)	All is within Highland Licensing Board policy and is consistent with the five Licensing Objectives.
(4)	No objections have been received in connection with the application.
(5)	I have conducted a site visit and have no concerns.
(6)	I have no objections to this application.
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 There are no existing local conditions and it is not considered necessary to attach any.
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/1950
Date: 19 July 2023
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