

The Highland Licensing Board

Meeting – 28 November 2023

Agenda Item	6.1
Report No	HLB/124/23

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

Premier, 34 The Square, Grantown on Spey, PH26 3HF

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 SRJ Convenience Limited, 199 Laburnum Road, Redcar, TS10 3RS

1.0 Description of premises

1.1 The Premier is situated on Grantown Square and consists of a convenience store selling general merchandise, fresh food and off sales.

2.0 Operating hours

2.1 The applicant seeks the following **off-sale** hours:

Off sales:

Monday to Sunday: 1000 hours to 2200 hours

3.0 Background

3.1 On 20 September 2023 the Licensing Board received an application for the grant of a premises licence from SRJ Convenience Limited.

The application was accompanied by a Disabled Access Statement

3.2 The application was publicised during the period 9 October until 30 October 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:

[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:-

(i) The premises are a general convenience store which sells grocery items, general merchandise, fresh foods and off sales. It is situated in the centre of Grantown at the Square.

(ii) Previously the premises operated as a similar premises under the Scotmid banner before closing.

(iii) The premises have been visited on many occasions by the LSO and a suitable for the sale of alcohol as indicated in the operating plan. The alcohol display comes to be 32.718 metres squared, whilst this was within Board Policy at the time the application was being compiled, the revised Policy Statement compiled by HLB covering 2023 to 2028 has lowered the threshold for the consideration of overprovision to premises proposing to have an alcohol display area of over 30 metres squared. The agent representing the applicant has been advised of this issue and will address the Board on the day.

(iv) The hours requested are the maximum trading hours for alcohol sales allowed by the Licensing (Scotland) Act 2005.

(v) The application has been accompanied by Section 50 certificates relating to Planning, Building Control and Food Hygiene. A Disabled Access Statement has been included.

(vi) The premises licence holders, SRJ Convenience Ltd, are experienced operators who operate numerous convenience stores, accordingly they have sound staff training procedures and operate in a responsible manner.

(vii) In the view of the LSO, the application meets the 5 licensing objectives, although it will be for the Board to decide on the issue of over provision in line with their revised policy.

(viii) During the public consultation phase of this application no objections or representations have been received by the HLB.

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/INBS/693
Date: 13 November 2023
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