

The Highland Licensing Board

Meeting – 25 June 2024

Agenda Item	9.1
Report No	HLB/61/24

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

Storr Centre, Portree, Isle of Skye, IV51 9HX

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for the provisional grant of a premises licence in respect of Storr Centre, Portree, Isle of Skye, IV51 9HX.

1.0 Description of premises

1.1 The Storr Centre is situated in a rural setting outside the town of Portree and is to service growing tourist demand in the area. The premises consists of a purpose built 100m/sq building with a retail space and multipurpose room which can be used for weddings and/or meetings etc.

2.0 Operating hours

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

On sales:

Monday to Sunday: 1100 hours to 0100 hours

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

Off sales:

Monday to Sunday: 1000 hours to 2200 hours

3.0 Background

3.1 On 25 April 2024 the Licensing Board received an application for the provisional grant of a premises licence from The Highland Council.

3.2 The application was accompanied by the necessary section 50 certification in terms of Planning together with a Disabled Access Statement.

3.3 The application was publicised during the period 29 April 2024 until 20 May 2024 and confirmation that the site notice was displayed has been received.

- 3.4 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.
- 3.5 Notification of the application was also sent to NHS Highland and the local Community Council.
- 3.6 Further to this publication and consultation process, no timeous objections or representations have been received.
- 3.7 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 purpose built 100m/sq building and consist of a retail space and multipurpose room which can be used for weddings and/or meetings etc. The unit is to service growing tourist demand in the surrounding area.
- (ii) The licensed areas are delineated in red on the multipurpose and decking area layout plan and the retail layout plan.
- (iii) The building is owned by Highland Council and is operated and run by Highland Council employees.
- (iv) The premises will offer on and off sales (on sales for the purposes of groups using/hiring the licensed multipurpose area and licensed outdoor decking area).
- (v) The application is within HLB policy.
- (vi) The application is consistent with the licensing objectives.
- (vii) No objections or representations have been received in respect of the application.
- (viii) 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 2023-28
- (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

The Board may wish to consider attaching the following special condition:

- (1) On sales are permitted only in the multipurpose area and external decking area by any wedding party/group/club who have hired/booked this space.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed special condition detailed at para 7.3 above.

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/2111
Date: 6 June 2024
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