

## **HIGHLAND LICENSING BOARD**

Minute of the meeting of the **Highland Licensing Board** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Tuesday 6 August 2024 at 10.00am.

### **Present:**

Dr C Birt, Mr J Bruce, Mr J Grafton, Mrs J Hendry (Convener), Mr S Kennedy, Ms E Knox, Mr D Millar, Mr P Oldham, Mr K Rosie

### **In Attendance:**

Ms C McArthur, Clerk to the Board  
Mr I Meredith, Solicitor  
Mr G Somers, Solicitor  
Ms M Duffy, Solicitor  
Mr G Cameron, Licensing Standards Officer  
Mr E MacKinnon, Licensing Standards Officer  
Mr S Campbell, Monitoring Inspector  
Mrs G MacPherson, Committee Officer

### **Also In Attendance:**

Sergeant Paterson, Police Scotland

Items 6.2, 6.3, 6.4: Andrew Hunter, solicitor  
Item 7.2: Stacey Campbell, premises manager  
Item 8.1: Ayaz Irshad, a director of Royal Hotel Tain Ltd  
Item 9.1: Ayaz Irshad, personal licence holder

## **Briefing on Protocol for Webcasting of Meetings**

The Convener advised the Board that the meeting would be filmed and broadcast over the internet on the Highland Council website and would be archived and available for viewing for 12 months.

### **1. Apologies for Absence Leisgeulan**

An apology for absence was intimated on behalf of Mr D MacPherson.

### **2. Declarations of Interest Foillseachaidhean Com-pàirt.**

There were no declarations of interest.

### **3. Confirmation of minutes Dearbhadh a' gheàrr-chunntais**

There was submitted for confirmation as a correct record the minute of the meeting of the Highland Licensing Board held on 25 June 2024.

The Minutes were held as read and **APPROVED**.

**4. Licensing (Scotland) Act 2005  
Licences granted under delegated powers  
Achd Ceadachd (Alba) 2005  
Ceadachdan a bhuilicheadh fo ùghdarras air a thiomnadh**

There had been circulated **Report No HLB/75/24** detailing Licences which had been granted under delegated powers by the Clerk to the Board during the period 13 June 2024 to 24 July 2024.

The Board **NOTED** the Report.

**5. Licensing (Scotland) Act 2005  
Occasional licences and extended hours  
granted under delegated powers  
Achd Ceadachd (Alba) 2005  
Ceadachdan Corra-uair agus uairean sìnte a bhuilicheadh fo ùghdarras air  
a thiomnadh**

There had been circulated **Report No HLB/76/24** detailing Occasional Licences and Extended Hours Applications which had been granted under delegated powers by the Clerk to the Board during the period 13 June 2024 to 24 July 2024.

The Board **NOTED** the Report.

**6. Licensing (Scotland) Act 2005  
Applications for provisional premises licences  
Achd Ceadachd (Alba) 2005  
Iarrtas airson ceadachdan thogalaichean le cumha**

**6.1 Ref: HC/CSR/2120**

**Applicant:** Co-operative Group Food Limited

**Premises:** Co-op, Land 40M West of Morrisons Daily, Gairloch

**Type:** Off sales

There had been circulated **Report No HLB/77/24** by the Clerk.

The Board **AGREED** to **GRANT** the application for a provisional premises licence subject to the mandatory conditions only.

**6.2 Ref: HC/RSL/2114**

**Applicant:** Motor Fuel Limited per Harper MacLeod LLP

**Premises:** Fort William Service Station, An Aird, Fort William, PH33 6AN

**Type:** Off sales

There had been circulated **Report No HLB/78/24** by the Clerk.

The applicant's solicitor spoke in support of items 6.2, 6.3 and 6.4.

Mr Hunter explained that Motor Fuel were in the process of acquiring 337 petrol station sites from Morrisons Supermarket.

It was proposed that the retail units would be refitted but shelving would retain Morrisons branding. A small change of product was planned and this would include a small provision of alcohol. It was confirmed that this would match what Motor Fuel offered elsewhere, offering a little bit of everything with the aim of safeguarding the longevity and viability of the store.

Mr Hunter added that Motor Fuel operated staffed units and that lengthy market research had been carried out (and presented in the report) to support that residents in the locality were, or were likely to become, reliant to a significant extent on the premises as the principle source of petrol or derv or groceries.

The Board **AGREED** to **GRANT** the application for a provisional premises licence subject to the mandatory conditions only.

### **6.3 Ref: HC/CSR/2112**

**Applicant:** Motor Fuel Limited per Harper MacLeod LLP

**Premises:** Alness Petrol Station, Dalmore Road, Alness, IV17 1OU

**Type:** Off sale

There had been circulated **Report No HLB/79/24** by the Clerk.

The Board **AGREED** to **GRANT** the application for a provisional premises licence subject to the mandatory conditions only.

### **6.4 Ref: HC/INBS/700**

**Applicant:** Motor Fuel Limited per Harper MacLeod LLP

**Premises:** Inverness Service Station, Millburn Road, Inverness, IV2 3PX

**Type:** Off sale

There had been circulated **Report No HLB/80/24** by the Clerk.

The Board **AGREED** to **GRANT** the application for a provisional premises licence subject to the mandatory conditions only.

## **7. Licensing (Scotland) Act 2005**

**Applications for variation (major) to premises licences**

**Achd Ceadachd (Alba) 2005**

**Iarrtasan airson Caochladh (Mòr) a thaobh ceadachdan thogalaichean**

### **7.1 Ref: HC/INBS/180**

**Applicant:** Milton Hotels Limited, 8 Ness Walk, Inverness, IV3 5NE

**Premises:** Best Western Palace Hotel & Spa, 8 Ness Walk, Inverness, IV3 5NE

**Type:** on and off sales

#### **Variation:**

1. Include No. 10 the cottage within licence foot print of existing premises licence.
2. Include outdoor drinking area open until 22.00 hrs.

3. Inclusion of Terrace drinking area.
4. Amend on sales hours 1100 hours to 0100 hours Monday-Saturday and 1100 hours to 2400 hours on Sunday.
5. Amend off sales opening on Sunday to 1200 hours.
6. Include films as an activity.

There had been circulated **Report No HLB/81/24** by the Clerk.

The Board **AGREED** to **GRANT** the application for a major variation to the premises licence subject to the existing mandatory, existing local conditions and additional local conditions:

(m) After 2200 hours alcoholic or non-alcoholic drinks shall not be consumed in any outdoor drinking area.

n(i) No live or recorded music shall be played in any outdoor drinking area.

(o) The licence holder shall ensure that consumption of drinks (alcoholic or non-alcoholic) in any outside drinking area is permitted only by customers seated at the table and chairs provided in the outside drinking area and not by customers standing in that area.

#### **7.2 Ref: HC/RSL/0815**

**Applicant:** Columba 1400

**Premises:** Columba 1400, Staffin, Isle of Skye, IV51 9JY

**Type:** on sales

#### **Variation:**

1. Amend on sales hours to 1200 hours to 0100 hrs Monday to Saturday;
2. Remove specific condition – “This licence authorises the premises Licence Holder to sell alcohol in the said premises to persons taking table meals there for consumption by such a person as an ancillary to his or her meal” - removal of this condition will permit on sales without restrictions to give more flexibility from an operational point (primarily for weddings/events/mulled wine at Christmas etc. without the constraints of alcohol being ancillary to a meal);
3. Remove seasonal variation;
4. Substitution of premises manager.

There had been circulated **Report No HLB/82/24** by the Clerk.

The Board **AGREED** to **GRANT** the application for a major variation to the premises licence subject to the mandatory conditions only.

#### **8. Licensing (Scotland) Act 2005 Section 38 Application for review of premises licence**

**Achd Cheadachd (Alba) 2005, Earrann 38**  
**Iarrtasan airson èisteachd ath-bhreithneachail air ceadachd togalaich**

**8.1 Ref: HC/CSR/1349**

**Premises:** Royal Hotel, High Street, Tain

There had been circulated **Report No HLB/83/24** by the Clerk.

The Board **AGREED** to **DEFER** until the next Board meeting on 3 September 2024 for the premises licence holder (Royal Hotel Tain Ltd) to seek independent legal advice/representation.

**9. Licensing (Scotland) Act 2005 Section 84A**  
**Review of personal licence**  
**Achd Cheadachd (Alba) 2005, Earrann 84A**  
**Ath-sgrùdadh air ceadachd phearsanta**

**9.1 Ref: HC/CSR/7710**

**Personal Licence Holder:** Ayaz Irshad

There had been circulated **Report No HLB/84/24** by the Clerk.

The Board **AGREED** to **DEFER** until the next Board meeting on 3 September 2024 for Mr Irshad to seek independent legal advice/representation.

The meeting closed at 10.35am.