

The Highland Licensing Board

Meeting – 1 April 2025

Agenda Item	8.2
Report No	HLB/24/25

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

Rhidorroch Distillery, 6 Shore Street, Ullapool

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for the grant of a provisional premises licence in respect of Rhidorroch Distillery, 6 Shore Street, Ullapool.

1.0 Description of premises

1.1 The premises is a detached two storey building comprising café, bar and eatery over both levels and outdoor area to the front and beer garden. There will also be a separate new building housing the distillery to the north of the existing building which will not be licensed.

2.0 Operating hours

2.1 The applicant seeks the following hours:

On sales:

Monday to Sunday: 1000 hrs to 0100 hrs

Off sales:

Monday to Sunday: 1000 hrs to 2200 hrs

3.0 Background

3.1 On 7 February 2025 the Licensing Board received an application for the grant of a provisional premises licence from Rhidorroch Distillery Limited.

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 from 21 February to 14 March 2025 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.

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:-

- a) The property that will be known as Rhidorroch Distillery, 6 Shore Street, Ullapool is a detached two storey stone building situated directly opposite the harbour in the village of Ullapool, Wester Ross.
- b) The premises were previously known as The Frigate Bar and Restaurant which was a licensed premises in Ullapool for many years.
- c) The building and outdoor areas have been extensively renovated and upgraded by the applicant and will incorporate indoor bars, eating areas, as well as outside areas.
- d) The outside hospitality area to the front of the premises will be on an area which is authorised for this use by Transport Scotland who have granted and issued appropriate authorisation.
- e) There will be an outside distillery building to the rear of the premises which will not be licensed.
- f) The application is to allow for the provision of alcohol by on sales and off sales.
- g) The application is seeking to offer alcohol by on sales from 1000 hrs each day whilst food is available to accommodate tourists, cruise line passengers, ferry passengers and harbour workers.
- h) The activities sought would appear to be reasonable and appropriate for the proposed operation of the premises.
- i) The children's policy is considered suitable and is within the policy of the Highland Licensing Board.
- j) The layout plan submitted complies with the required specifications.
- k) There would not appear to be any matter contained within the application that is inconsistent with the licensing objectives.
- l) During the period of public consultation, no objections were received.
- m) I have no objection 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

Should the Board grant the application as applied for, the Board may wish to consider attaching the following condition(s) from the schedule of local conditions:

- e. Premises opening for the sale of alcohol for consumption on the premises prior to 1100 hrs shall have available a selection of hot and cold food and shall advertise this within the premises.
- m. After 2300 hrs, alcoholic or non-alcoholic drinks shall not be consumed 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 tables and chairs provided in the outside drinking area and not by customers standing in that area.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local conditions detailed at para 7.2 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/CSR/2134
Date: 18 March 2025
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