

HIGHLAND LICENSING BOARD

Minute of the meeting of the **Highland Licensing Board** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Tuesday, 7 January 2025 at 9.30am.

Present:

Dr C Birt, Mr J Grafton, Mrs J Hendry (Convener), Mr S Kennedy, Mr D Macpherson, Mr D Millar, Mr K Rosie.

In Attendance:

Ms C McArthur, Principal Solicitor, Clerk to the Board
Mr I Meredith, Solicitor, Depute Clerk to the Board
Mr G Cameron, Licensing Standards Officer
Mr S Campbell, Licensing Standards Officer
Mrs G MacPherson, Committee Officer

Also In Attendance:

Sergeant Paterson, Police Scotland

Item 7.1: Rory Anderson, applicant's solicitor

Item 8.1: Caroline Loudon, applicant's solicitor

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

Apologies for absence were intimated on behalf of Mr J Bruce and Ms E Knox.

2. Declarations of Interest Foillseachaidhean Com-pàirt.

Item 8.2: Mrs J Hendry (Transparency Statement)

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 26 November 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/01/25 detailing Licences which had been granted under delegated powers by the Clerk to the Board during the period 14 November 2024 to 16 December 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/02/25 detailing Occasional Licences and Extended Hours Applications which have been granted under delegated powers by the Clerk to the Board during the period 14 November 2024 to 16 December 2024.

The Board **NOTED** the Report.

6. Policy Statement 2025-2028 under the Gambling Act 2005
Aithris Poileasaidh 2025-2028 fo Achd na Ceàrrachd 2005

There had been circulated Report No HLB/03/25 detailing the consultation responses to the Consultation Draft Policy Statement set out in Appendix 4.

The Board **AGREED** to **APPROVE** the Gambling Policy 2025-2028 for publication.

7. Licensing (Scotland) Act 2005
Applications for new premises licences
Achd na Ceadachd (Alba) 2005
Larrtas airson cheadachdan thogalaichean ura

7.1 Ref: HC/RSL/2129

Applicant: The Wee Hotel Company Limited per CMS Cameron McKenna Nabarro Olswang LLP, Saltire Court, 20 Castle Terrace, Edinburgh, EH1 2EN

Premises: The Three Chimneys at Talisker, Talisker Distillery, Carbost, Isle of Skye, IV47 8SR

Type: On sales

There had been circulated Report No HLB/04/25 by the Clerk.

The applicant's solicitor spoke in support of the application and confirmed that the applicant was happy, and would fully comply with, the licensing conditions.

The Board **AGREED** to **GRANT** the application for a premises licence subject to the mandatory conditions and local conditions (m) and (o).

8. Licensing (Scotland) Act 2005
Applications for variation (major) to premises licences
Achd Ceadachd (Alba) 2005
larrtasan airson Caochladh (Mòr) a thaobh ceadachdan thogalaichean

8.1 Ref: HC/RSL/1845

Applicant: Penny Petroleum Limited per TLT Solicitors, Cadworks, Floor 9
41 West Campbell Street, Glasgow, G2 6SE

Premises: Ben Filling Station, North Road, Fort William, PH33 6TQ

Type: Off-sale

Variation:

(1) Q5 – To amend and add wording to read as follows - “The premises may open for general trade prior to the commencement of core hours. Recorded music may be played, prior to the commencement of core hours. This is background level only. National Lottery tickets/cards can be purchased prior to core hours.”

(2) Q5(f) – To amend and add wording to read as follows – “The primary activity undertaken at the aforementioned premises is the retail sale of the following commodities to the general public:

Groceries, confectionery, bread and cakes, crisps and snacks, soft drinks, non foods, toiletries, frozen foods, chilled foods, fruit and veg, newspapers and magazines, tobacco and cigarettes, wines and spirits and other fermented, distilled and spirituous liquors. Fuel & other vehicle accessories/tools. Food to Go/Food on the Move. Click & collect. Home Deliveries. External automated cash machine. Charity collection point and charitable events may take place, alongside sampling & promotional activities.

The licence holder may operate a national lottery within the outlet and/or a pay point bill payment service. They may also provide additional services for the customer, including but not limited to - hot drinks dispensers, parcel/package collection points, launderettes, post office services & hot food points.”

There had been circulated Report No HLB/05/25 by the Clerk.

The applicant’s solicitor spoke in support of the application. Penny Petroleum had performed a licence review and an update to the services offered had been required.

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

8.2 Ref: HC/INBS/684

Applicant: Beyond Bar Inverness Limited, Windrill, Drumsmittal, North Kessock, IV1 3SF

Premises: Playback, 27-31 Academy Street, Inverness, IV1 1JN

Type: On and off sales

Variation:

(1) Wish to extend our opening hours to 03.00 hrs on Thursday, Friday and Saturdays.

(2) Intend to play music on both the ground and first floors, this will be a mix of DJ's and bands along with dancing.

(3) Increase in capacity from 280 to 489.

There had been circulated Report No HLB/06/25 by the Clerk.

Transparency Statement: Mrs J Hendry made a Transparency Statement in respect of this item as the director of the business making the application was also chair of Inverness Wheeled Sports Club. In her role as Ward Councillor, Mrs Hendry had been liaising with the Club to help set up an indoor skateboarding facility in Hilton, which consisted of setting up a meeting, corresponding and sending information about grant funding, with no financial interest. However, having applied the objective test, she did not consider that she had an interest to declare.

During discussion, the Licensing Standards Officer confirmed that since the granting of the licence in April 2024, he had received no adverse comment or feedback in relation to any activities on the premises. Further he considered the premises well run and the axe-throwing activity strongly regulated.

The axe-throwing was supervised and during specific hours only and the original licence documentation had been meticulous. It was felt that as long as the late night conditions continued to be applied, the variation should be approved.

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

The meeting closed at 10.00am.