

## The Highland Licensing Board

Meeting – 24 June 2025

Agenda Item	8.1
Report No	HLB/48/25

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

Food Court, Eastgate Shopping Centre, 11 Eastgate, Inverness, IV2 3PP

#### 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 Food Court, Eastgate Shopping Centre, 11 Eastgate, Inverness, IV2 3PP

#### 1.0 Description of premises

1.1 The Food Court is situated within Eastgate Shopping Centre, Inverness and consists of restaurant open to the public.

#### 2.0 Operating hours

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

##### On sales:

Monday to Sunday: 1100 hours to 2200 hours

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

##### Off sales:

Monday to Sunday: 1100 hours to 2200 hours

#### 3.0 Background

3.1 On 7 May 2025 the Licensing Board received an application for the provisional grant of a premises licence from LSS Licence Holding Ltd.

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 19 May until 9 June 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:-

Scran Café and Kitchen is a food hall situated on the ground floor of the Eastgate Shopping Centre, Inverness comprising an open plan food court with a central social/seating area. Surrounding the central seating area is a kitchen offering a range of different cuisines and a separate bar area offering a range of alcoholic and soft drinks

An application has been made for a grant of a provisional premises licence to permit the sale of alcohol as follows: -

**On Sales** - Monday to Sunday: 1100 hours to 2200 hours

**Off Sales** - Monday to Sunday: 1100 hours to 2200 hours

Scran Café & Kitchen is situated on the ground floor of the Eastgate Shopping Centre, which is currently undergoing refurbishment to partially enclose the area from the general foot fall in the Eastgate Centre and where the aim is to create a vibrant, central social area where families, groups and/or individuals could pick up their choice of food or a drink, sit back and soak up the atmosphere. Adjacent to the central seating area is a kitchen offering a range of different cuisines. There are five units including a servery from where the food can be ordered/delivered or another servery/bar from which you can order a drink.

The Food Court has had various tenants over the years and the owners Eastgate Centre along with new tenants have been inspired to apply for an alcohol licence for the purposes of their trade with a view to injecting new life into the area with a view to enriching the shopping experience for locals and visitors alike. Furthermore, the owners/ tenants seek to make more use of the area with a view to marketing the Food Court area and offering the potential for a takeaway delivery service, conferencing, receptions such as weddings, funerals, birthdays, retirements etc, and live performances among a range of other activities The facilities will be made available for bookings with or without alcohol dependant on the type of event to be hosted but the operators seek to have the flexibility to sell alcohol if appropriate to do so and requested by those groups.

The application for off sales is sought to allow for the sale of alcohol as a trading model whereby, the operators seek to offer outside catering, takeaways and

deliveries as part of their activities. The alcohol for off sales will come from on sales stock with no separate off sales display area.

The alcohol for off consumption will be supplied from on sales stock with no separate off sales display areas.

The LSO has visited the premises and is satisfied that the application and operating plan are compliant with HLB policy.

A Section 50 Planning certificate has accompanied the application together with the required Disabled Access statement and suitable layout plans

The LSO is satisfied that should the HLB wish to grant this application then there will be no threat to the licensing objectives.

Following the public consultation phase of this application no objections or representations have been made to HLB.

## **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:

(b) Whilst in a room with a bar counter all children under 12 years must be in the company of or supervised by an appropriate responsible adult.

(c) Notwithstanding condition (b) children must not sit or remain at the bar counter at any time.

### **7.3 Special conditions**

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

(1) The licence holder shall ensure that consumption of drinks is permitted only by customers seated at the tables and chairs provided in the food court area

and not by customers standing in that area.

(2) Alcohol for consumption off the premises to which this licence refers may only be sold as an accompaniment to a meal ordered for consumption off the premises or sold and despatched pursuant to an order originating off the premises

### **Recommendation**

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local and special conditions detailed at paragraphs 7.2 and 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/INBS/712  
Date: 11 June 2025  
Author: Marjory Bain