

The Highland Licensing Board

Meeting – 24 June 2025

Agenda Item	8.2
Report No	HLB/49/25

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

Inverness Castle, Castle Street, Inverness, IV2 3EG

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 Inverness Castle, Castle Street, Inverness, IV2 3EG

1.0 Description of premises

1.1 The Inverness Castle is situated overlooking the city centre and consists of the north and south tower visitor experiences, saltire bistro, north tower bar and gift shop. In addition, there are outdoor seating areas, terraces and gardens.

2.0 Operating hours

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

On sales:

Monday to Sunday: 1000 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 1 May 2025 the Licensing Board received an application for the provisional grant of a premises licence from High Life Highland.

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 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.

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:-

Inverness Castle and Gardens, incorporating the north and south tower visitor experiences, Saltire Bistro, North Tower Bar and gift shop and collectively referred to as Inverness Castle Experience. The venue will host events both indoors and outdoors. In addition, there are outdoor seating areas, terraces and gardens.

The Inverness Castle Experience, celebrating the 'Spirit of the Highlands' through its stories of past, present and future. Through the South Tower, you will be guided by a seanchaidh - storyteller - who will help reveal stories, along the route, celebrating the Highlands' spirit. In the North Tower, the Ceilidh Rooms will offer a place for people to come together to share the best of Highland music, food and drink. This experience will highlight and acknowledge the contribution of musicians to the rich culture of the Highlands and the opening interactive exhibition will feature the music and stories of Runrig, recognising the band's impact on the area's cultural scene over the past half-century.

The Saltire Bistro provides access to a terrace which will be a designated outdoor eating and drinking area offering uninterrupted views over the River Ness.

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

On Sales - Monday to Sunday: 1000 hours to 0100 hours

Off sales - Monday to Sunday: 1000 hours to 2200 hours

Application for off sales is sought to be able to sell Inverness Castle Experience souvenir Whisky, Gin and bottled beers as a memento of the visit and will be dispensed from the gift shop only. The off-sales capacity amounts to 3.321 m2.

The operating model for the premises will be based around the core business hours of 0800 hours until 2200 hours Monday to Sunday, however, there will be no sale of alcohol prior to the core licensed hours applied for. The additional hours applied for will permit management to cater for the occasional request for private functions etc. which can be accommodated without having to make

extended hours applications.

The premises are suitable for the sale of alcohol as described within the application.

The LSO has reviewed the proposed operating plan and is of the opinion that it complies with the 5 licensing objectives. The application complies with the permitted hours allowed within the Licensing (Scotland) Act 2005 and also with current Board Policy.

A Section 50 certificates for planning, suitable layout plans, and the requisite Disabled Access statement have accompanied the application.

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 conditions from the schedule of local conditions:

(f) Alcohol may be sold on the premises prior to 1100 hours only to persons taking table meals.

(g) Alcohol may be sold prior to 1100 hours for consumption on the premises only during a formal or tutored tasting session and only to customers taking part in such a tasting session.

(k) The licence holder shall submit to the Board and to Police Scotland, prior to 1 December each year, notice of the dates within the festive period on which it is intended that the premises remain open until the festive period terminal hour stated for that category of premises in the Board's Policy Statement. The premises may remain open until the festive period terminal hour only on those

dates for which notice has been given by the licence holder to the Board and to Police Scotland in accordance with this condition.

(l) The boundaries of any outside area will be effectively demarcated to the satisfaction of the Licensing Standards Officer.

(m) After 2200 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.

(p) The licence holder shall ensure that all outdoor tables are regularly cleared of used glassware, crockery, cutlery and refuse

7.3 Special conditions

No special conditions are considered necessary.

7.4 Late opening conditions (where seasonal variation is requested)

(1) First Aid must be present on the premises from 0100 hours (on any day when the premises are open at 0100 hours) until whichever is the earlier of: -

(a) the time at which the premises next close; and

(b) 0500 hours

(2) A designated person who is the holder of a personal licence must be present on the premises from 0100 hours (on any day when the premises are open at 0100 hours) until whichever is the earlier of:-

(a) the time at which the premises next close; and

(b) 0500 hours or such other time as the Licensing Board may specify.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local conditions and late opening conditions detailed at paragraphs 7.2 and 7.4 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/711

Date: 11 June 2025

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