

The Highland Licensing Board

Meeting – 24 June 2025

Agenda Item	9.2
Report No	HLB/51/25

Application for a major variation of premises licence under the Licensing (Scotland) Act 2005

Kings Golf Club, Balphadrig Road, Inverness, IV3 8AX

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by Kings Golf Club, Balphadrig Road, Inverness, IV3 8AX.

1.0 Description of premises

1.1 The Kings Golf Club was opened in 2019 and consists of a fully equipped golf facility with an 18 hole championship golf course, practice range, chipped area, pro shop, bar and restaurant. It is situated on the west side of Inverness about two miles from Inverness City Centre.

2.0 Summary of variation application

2.1 Variation sought

The applicant seeks to vary the premises licence as follows:-

- (1) Applying to change club licence to full licence to serve both club members and public patrons.
- (2) Applying to licence the entirety of course, inclusive of clubhouse, course and half way house between 9th tee and 14th green.
- (3) Change of description of the premises.
- (4) Include seasonal variations.
- (5) 'Yes' under Q5 (outwith core hours) for club meetings and music.
- (6) Under Q5 'yes, yes, yes' for gaming.
- (7) Under 'other activities' - where activities are provided outwith core licensed hours, the bar will remain closed but teas/coffees and soft drinks will be available.
- (8) 5(f) - any other activities: social activities such as, quiz nights, charity fundraising events and race nights.
- (9) Children and young persons policy amended to allow them access to all public parts.

3.0 Background

- 3.1 On 6 May 2025 the Licensing Board received an application for a major variation of a premises licence from Kings Golf Club.
- 3.2 The application was publicised during the period 19 May until 9 June 2025 and confirmation that the site notice was displayed has been received.
- 3.3 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.
- 3.4 Notification of the application was also sent to NHS Highland and the local Community Council.
- 3.5 Further to this publication and consultation process, no timeous objections or representations have been received.
- 3.6 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:

www.highland.gov.uk/hlb_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 may be: -

1. the grant of the application will be inconsistent with one or more of the licensing objectives;
 2. having regard to (i) the nature of the activities carried on or 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 in accordance with the proposed variation;
 3. 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 The Board only has power either to grant the application and make a variation of the conditions to which the licence is subject or to refuse the application.
- 4.4 If the Board refuses the application, the Board must specify the ground for refusal and if the ground for refusal relates to a licensing objective, the Board must specify the objective in question.

5.0 Licensing Standards Officer

- 5.1 The LSO has provided the following comments:-

(i) Kings Golf Club is an established members only club situated on the western periphery of Inverness which has held an alcohol premises licence since 2018. The premises is a purpose built, single storey, golf clubhouse comprising pro-shop, offices, changing facilities, restaurant/bar. Along the exterior (southern aspect) of the Clubhouse there is a terrace to accommodate tables for outdoor eating and drinking.

(ii) An application has now been made to vary the premises licence to extend their alcohol provision to that of a full premises licence whereby general members of the public can be admitted, as opposed to exclusively club members and guests. The reasons for this are purely commercial as continued reliance solely on bar trade and food from club members is not financially viable, hence the club seeking a wider customer base.

(iii) Application is sought to offer the use of a current halfway house situated between the 9th and 14th greens offering on sales of alcohol, which will be available only to golfer's, guests and caddies on the golf course. This facility will operate restricted hours and will be staffed at all times whilst open.

(iv) Application is sought to extend the licensed footprint of the premises to incorporate the entirety of course, inclusive of clubhouse, course and halfway house.

(v) Application is sought at Section D to update the description of the premises to reflect what the premises offers customers.

(vi) Application is sought at Q4 to add seasonal variation to allow the premises to take advantage of the Licensing Boards Festive Hours Policy and other occasions as determined by Highland Licensing Board.

(vii) Application is sought at Q5 and Q5(f) to broaden the range of activities permitted within the operating plan and amend wording to reflect the current and future trading position.

(viii) Application is sought at Q6(b) to amend and update the children and young

persons policy to reflect the current operation of the premises. This amendment is appropriate and within policy.

(ix) In the view of the Licensing Standards Officer, such changes to the licence will not affect the licensing objectives, as the club will ostensibly be run for supporting the golfing part of the club.

(x) The operating history of the premises has been entirely satisfactory, compliance visits by the LSO have shown the premises to be well run according to the terms and conditions of the licence.

(xi) During the public consultation phase of this application, no objections or representations were received by the Licensing Board.

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

Existing local conditions will continue to apply and it is recommended that the following additional local condition be attached:

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

7.3 Special conditions

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

1. Alcohol sold from the halfway house on the golf course will only be supplied to golfers, guests and caddies using the golf course to play golf.

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, special conditions and late opening conditions detailed at paragraphs 7.2 ,7.3 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/640
Date: 11 June 2025
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