

## **The Highland Licensing Board**

**Meeting – 24 June 2025**

Agenda Item	<b>9.4</b>
Report No	<b>HLB/53/25</b>

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

**Glen Nevis Restaurant & Bar, Glen Nevis, Fort William, PH33 6SX**

#### **Report by the Clerk to the Licensing Board**

##### **Summary**

This report relates to an application for a major variation of premises licence by Glen Nevis Holidays Limited, Glen Nevis, Fort William, PH33 6SX.

#### **1.0 Description of premises**

- 1.1 The Glen Nevis Restaurant & Bar is located within a complex which comprises of an award winning caravan and camping site in a rural location set at the foot of Ben Nevis.

#### **2.0 Summary of variation application**

##### **2.1 Variation sought**

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

1) Operating Plan Activities:

- Add a seasonal variation to enable the premises to take advantage of the Highland Licensing Board's festive policy.
- Add the following activities to take place both 'within' and 'outwith' core licensed hours: theatre, films, gaming, indoor/outdoor sports, televised sports.
- Update the following activities to allow them to take place 'outwith' core licensed hours: bar meals, receptions, club or other group meetings, live performances, dance facilities and outdoor drinking facilities.
- Update explanation for activities being utilised outwith core licensed hours.

2) Update any other activities as follows:

- Both internal and external areas may be used for market purposes, including Christmas markets and local craft and food producers markets where third parties may exhibit and sell food, drink and other products.
- The external areas of the premises may be used for a variety of recreational purposes including displays and demonstrations of all natures which may include a bouncy castle.

- The external areas may also be used infrequently for festivals/live performances and events with external food and drink facilities during which pop up bars and temporary structures may be utilised.
- 3) Capacity - update as follows:
- Total on sales : 240 persons (currently licensed for 200 persons).
  - Breakdown: restaurant - 100 persons; bar - 100 persons; outdoor area - 40 persons.
- 4) Layout Plan:
- Provide updated layout plans showing extended footprint of licensed premises.
  - Add additional outdoor drinking areas.

### **3.0 Background**

- 3.1 On 15 May 2025 the Licensing Board received an application for a major variation of a premises licence from Glen Nevis Holidays Limited.
- 3.2 The application was publicised during the period 20 May 2025 until 10 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](http://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) The premises is an award winning caravan and camping site in a rural location set at the foot of Ben Nevis including a restaurant/bar complex. The premises predominately cater for walkers, climbers and the general tourist market.
- (ii) The application is within Highland Licensing Board policy.
- (iii) The application is consistent with the licensing objectives.
- (iv) The applicant is looking to amend/update their operating model to enable them to sustain/generate some extra income especially in the leaner off peak months. This type of application means businesses can evolve in an ever changing market.
- (v) No objections have been received in respect of this application.
- (vi) I have no objections 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**

Existing local conditions will continue to apply and no additional local conditions are considered necessary.

### **7.3 Special condition**

In order harmonise the existing premises licence conditions, the Board may wish to consider attaching the following special condition:

- i) Alcohol for the purposes of on sales will only be sold as ancillary to food between the hours of 1000 hrs to 1100 hrs.

#### **Recommendation**

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed special condition detailed at para. 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/RSL/445  
Date: 11 June 2025  
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