

HIGHLAND LICENSING BOARD

Minute of the meeting of the **Highland Licensing Board** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Tuesday, 5 August 2025 at 9.30am.

Present:

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

In Attendance:

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

Also In Attendance:

Sergeant Paterson, Police Scotland

Item 7.1: Jacqui Birrell, Applicant's Solicitor
Item 7.2: Niall Hassard, Applicant's Solicitor
Item 7.3: Niall Hassard, Applicant's Solicitor
Item 8.1: David Hossack, Applicant's Solicitor, and John Gibbon, Manager
Item 8.2: David Hossack, Applicant's Solicitor, and Eilidh Latto, Manager
Item 8.3: Donald Cameron, Manager
Item 10.1: Kugathas Kandasamy, Personal Licence Holder, and Stephen Premkumar, Interpreter

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 Ms E Knox and Mr K Rosie.

2. Declarations of Interest Foillseachaidhean Com-pàirt.

There were no declarations of interest.

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 24 June 2025.

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/55/25 detailing Licences which had been granted under delegated powers by the Clerk to the Board during the period 12 June 2025 to 23 July 2025.

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/56/25 detailing Occasional Licences and Extended Hours Applications which had been granted under delegated powers by the Clerk to the Board during the period 12 June 2025 to 23 July 2025.

The Board **NOTED** the Report.

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

6.1 Ref: HC/RSL/2148

Applicant: Isle of Skye Experimental Spirits Limited

Premises: Skye Bridge, At the Lights, Station Road, Kyle of Lochalsh, IV40 8AE

Type: On and off Sales

There had been circulated Report No HLB/57/25 by the Clerk.

The Board **AGREED** to **GRANT** the premises licence subject to the mandatory conditions only.

7. Licensing (Scotland) Act 2005
Applications for provisional premises licences
Achd Ceadachd (Alba) 2005
larrtas airson ceadachdan thogalaichean le cumha

7.1 Ref: HC/CSR/2152

Applicant: Summer Isles Enterprises Limited per Brodies LLP, Capital Square, 58 Morrison Street, Edinburgh, EH3 8BP

Premises: The Old Manse, Achiltibuie, Ullapool

Type: On Sales

There had been circulated Report No HLB/58/25 by the Clerk.

The applicant's solicitor spoke in support of the application.

The premises comprised 2 separate buildings. One with accommodation for 16 guests and the other adjacent with a lounge and dining area. There was also an outdoor seating area. In addition to accommodation and restaurant facilities, activities such as conferences, receptions and live performances would be provided. The provision of alcohol would be primarily for residents, and it was proposed that charity and corporate events, tastings, fairs and residential retreats would take place at the premises. The sale of alcohol would only take place between 1200 and 2300 hrs, and would be on sales only. Although occasional licences were currently in place, the premises had not yet started operating, but it was hoped that this would happen within the next few weeks.

The solicitor explained that a worktop had been replaced following an Environmental Health site visit and it was hoped the Section 50 certificate would arrive soon. The Building Standards Section 50 certificate had already been issued.

The Board **AGREED** to **GRANT** the provisional premises licence subject to the mandatory conditions only.

7.2 Ref: HC/INBS/713

Applicant: MRG Holdings (Inverness) Ltd, 1st Floor Robertson House, Inverness, IV1 1NF

Premises: Dramnation, 51 Church Street, Inverness, IV1 1DR

Type: On and Off Sales

There had been circulated Report No HLB/59/25 by the Clerk.

The applicant's solicitor spoke in support of the application.

The applicant was an experienced operator of several well-known premises in Inverness. This premises would be a welcome addition to the local area, offering a boutique whisky bar and sensory whisky experience.

The Board **AGREED** to **GRANT** the provisional premises licence subject to the mandatory conditions, local condition (k) and two late opening conditions set out at 7.2 of the report.

7.3 Ref: HC/INBS/714

Applicant: MRG Holdings (Inverness) Ltd, 1st Floor Robertson House, Inverness, IV1 1NF

Premises: Dog Falls, 23-31 Queensgate, Inverness, IV1 1DG

Type: On and Off Sales

There had been circulated Report No HLB/60/25 by the Clerk.

The applicant's solicitor spoke in support of the application.

The applicant was an experienced operator of several well-known premises in Inverness. This premises would be a joint venture with Dog Falls Local Craft Brewery, offering a craft brewery bar comprising a tap room serving Dog Falls products alongside a selection of other products.

The Board **AGREED** to **GRANT** to grant the provisional premises licence subject to the mandatory conditions, local condition (k) and two late opening conditions set out at 7.2 of the report.

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

8.1 Ref: HC/INBS/538

Applicant: Historic Environment Scotland Enterprises Limited

Premises: Fort George Visitor Centre, Ardersier, Inverness-shire IV2 7TD

Type: Off Sales

There had been circulated Report No HLB/61/25 by the Clerk.

The applicant's solicitor spoke in support of the application.

The premises was due to be reconfigured and improved in October 2025. The purpose of a slight increase in the alcohol display was to allow for a more artful display of the products for sale. The products were focused towards the tourist trade, mainly visitors wishing to purchase a gift or souvenir. The applicant's solicitor explained that a later termination hour of 2200 hrs would allow the premises to cover occasional private events. The inclusion of films and theatres as permitted activities would allow interpretive displays at Fort George and films to be shown on screens within the shop.

In response to a question regarding internet and telephone sales, the applicant's solicitor explained that the inclusion of this on the application was to future-proof the licence. At present, the majority of those sales were currently despatched via licensed premises in Edinburgh.

The Board **AGREED** to **GRANT** the major variation application subject to the mandatory conditions only.

8.2 Ref: HC/INBS/89

Applicant: Diageo Scotland Limited

Premises: Dalwhinnie Distillery Visitor Centre and Store, Dalwhinnie, Inverness-shire PH19 1AA

Type: On and Off Sales

There had been circulated Report No HLB/62/25 by the Clerk.

The applicant's solicitor spoke in support of the application. His representation included the following points:-

- this was a well-known working distillery and visitor centre, catering mostly for tourists and whisky aficionados;
- the change in capacity reflected a decrease in the retail area and an increase in the Wallace tasting room. The tasting room was standalone, accessible only with the presence of a tour guide and was subject to an entry fee;
- Members were referred to the applicant's previous application for a major variation, which had been granted at Highland Licensing Board on 7 May 2024;
- in terms of the retail area, the whisky would be presented artfully, rather than packed tightly, with some shelves displaying a mix of whisky alongside items such as books, glasses, cups, coffee and clothing; and
- an explanation was provided regarding the changes to the opening hours.

During discussion, the following points were raised:-

- further information was sought, and provided, in terms of the opening hours and sale of alcohol;
- information regarding the tour was sought, and provided;
- in response to a question regarding precautions for those driving, the applicant's solicitor explained that the distillery offered drivers' packs, provided non-alcoholic drinks and sample bottles for tasting later;
- it was important to consider each application by its own merit, particularly when the capacity exceeded 30m²; and
- recognition that the premises were more likely to appeal to whisky enthusiasts as opposed to off sales purchases made in larger multiple grocery stores which tended to have greater availability, accessibility and affordability of alcohol.

The Board **AGREED** to **GRANT** the major variation application subject to the mandatory conditions, existing local conditions, existing special conditions and the additional special condition set out at 7.3 of the report.

8.3 Ref: HC/RSL/00445

Applicant: Adelphi Distillery (1826) Limited

Premises: Ardnamurchan Distillery, Glenbeg, Ardnamurchan, PH36 4JG

Type: On and off sales

There had been circulated Report No HLB/63/25 by the Clerk.

Prior to discussion, the Clerk informed the Board that a certificate of compliance had been received, and it was understood that an outstanding Building Standards matter was being addressed.

The applicant spoke in support of the application.

In terms of the Building Standards matter, the applicant stated that the warehouse could be removed from the application, if required.

The change of opening hours was to align more efficiently with boat tours. The increases to the display areas would provide a more spread out and engaging

display for customers to view. This would include a display of bottles from the archives to the present day, which would be covered by perspex.

During discussion, it was suggested that, with the distillery providing employment and relying heavily on ferries for people to visit, it was appropriate to allow the opening hours to suit local boat timings.

The Board **AGREED** to **GRANT** the major variation application subject to the mandatory conditions, existing local conditions and a special condition set out at 7.3 of the report.

8.4 Ref: HC/RSL/1953

Applicant: Sleat Community Trading Company Limited

Premises: Armadale Stores, Armadale, Sleat, Isle of Skye, IV45 8RS

Type: Off Sales

There had been circulated Report No HLB/64/25 by the Clerk.

The Board **AGREED** to **GRANT** the major variation application subject to the mandatory conditions only.

9. Application for personal licence Iarrtas airson ceadachd phearsanta

9.1 Applicant: Michael Julian Towse

There had been circulated Report No HLB/65/25 by the Clerk.

The application had been withdrawn, at the applicant's request.

10. Notice of conviction – personal licence holder Brath dìtidh – glèidheadair ceadachd phearsanta

10.1 Licence Holder: Kugathas Kandasamy

There had been circulated Report No HLB/66/25 by the Clerk.

The Clerk explained that the licence had been granted by Perth and Kinross Licensing Board, as the licence holder had worked there at the time of his application. However, as the licence holder was currently the designated premises manager of a licenced premises within the Highland Licensing Board area, this Board was the appropriate Board to hear this case.

The Board heard from the Licensing Sergeant who advised that the applicant had been convicted of a relevant offence. Information was provided in relation to the offence and the Police made no recommendation.

Through an interpreter, the licence holder explained he had moved from London to Scotland for work. He had family and children. He advised that, on the day of the incident, he had had a drink but not eaten anything. This had not occurred before and he would not do it again. He said he was a kind person and he sought forgiveness from the Board.

In response to questions, the Licensing Standards Officer stated he had not met the licence holder.

During discussion, various opinions were expressed and the following points were raised:-

- there was concern that there were 2 minors in the vehicle at the time of the incident;
- the licence holder would be without a driving licence for a period of time;
- the licence holder appeared repentant;
- the Board had an obligation to make sure everyone was safe; and
- an endorsement of the licence would not prohibit the licence holder from working.

Thereafter, Mr D Macpherson, seconded by Mr J Grafton **MOVED** to endorse the licence.

As an **AMENDMENT**, Mr S Kennedy, seconded by Dr C Birt, wished to take no action.

The Clerk reiterated that if the Board chose to endorse the licence, the Board must be satisfied it was necessary to do so for the purpose of the licensing objectives, the licencing objectives being directly linked to the sale of alcohol.

Mr Macpherson felt that the licence holder showed poor judgement and that good judgement was required to sell alcohol. Mr Grafton understood that the licence holder was a manager of a service station and felt it was important to have awareness when selling alcohol to motorists.

Thereafter, the amendment was withdrawn.

The Board **AGREED** to **ENDORSE** the personal licence.

The endorsement would expire at the end of the period of 5 years beginning with the date on which the endorsement was made.

The meeting closed at 10.45am.