

The Highland Licensing Board

Meeting – 2 December 2025

Agenda Item	6.1
Report No	HLB/90/25

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

Easter Cullachie Cottage B & B, Boat of Garten, Inverness-shire, PH24 3BY

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for the grant of a premises licence in respect of Easter Cullachie Cottage B & B, Boat of Garten, Inverness-shire, PH24 3BY

1.0 Description of premises

1.1 The Easter Cullachie Cottage B & B is situated between Boat of Garten and Nethy Bridge and consists of residents' lounge area, reception hallway, dining room and two guest bedrooms.

2.0 Operating hours

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

On sales:

Monday to Sunday: 1500 hours to 2200 hours

3.0 Background

3.1 On 12 October 2025 the Licensing Board received an application for the grant of a premises licence from Partnership of David and Lynne Taylor.

3.2 The application was accompanied by the necessary section 50 certification in terms of Planning, Building Standards and Food Hygiene, together with a Disabled Access Statement.

3.3 The application was publicised during the period 27 October until 17 November 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:-

(i) Easter Cullachie Cottage is a detached cottage situated between Boat of Garten and Nethy Bridge, operating as an 'Exclusive Use' Bed & Breakfast.

Guest accommodation includes a front porch, reception hallway, dining room and residents lounge area on the ground floor with two guest bedrooms on the first floor. The premises can accommodate a maximum of 4 guests at any given time.

The proprietors will be living in adjoining accommodation.

There is no bar area and alcohol sales will be dispensed from a cocktail cabinet located in the resident's lounge and will operate on an honesty bar basis which will be covered with guests prior to arrival. In addition, the ability of the owners to enter and inspect the accommodation at any time will assist in effective overall control.

It is envisaged that a small range of alcohol will be available.

(ii) Application is sought for the sale of alcohol as follows: -

On sales: Monday to Sunday: 1500 hours to 2200 hours.

(iii) In addition, application is sought to include an upper floor balcony which is accessed from the larger of the two available guest bedrooms and a paved patio area adjacent to the residents' lounge in the licensed footprint as outdoor drinking areas.

(iv) It is the view of the LSO, that use of the outside drinking areas be limited to a maximum of 2200 hours for consumption of alcoholic and non-alcoholic beverages. This is due to the proximity of a neighbouring dwelling. The LSO has viewed the property and the substantial garden area and is confident that with the scrutiny of sales and small number of guests, their use will not result in any public nuisance.

(v) The children's policy is considered suitable and is within the policy of the Highland Licensing Board.

(vi) A full set of Section 50 certificates in terms of Planning, Building Standards and Food Hygiene has accompanied the application together with the required Disabled Access statement, Layout Plans and Fire Safety Assessment.

(vii) The application and operating plan are compliant with Highland Licensing

Board policy.

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

(x) 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:

(m) After 2200 hours, alcoholic or non-alcoholic drinks shall not be consumed in any outdoor drinking area.

n(i) No live music or recorded music shall be played in any outdoor drinking area.

7.3 Special conditions

No special conditions are considered necessary.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local conditions detailed at para. 7.2 and 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/716
Date: 19 November 2025
Author: Marjory Bain