

The Highland Licensing Board
Meeting – 2 December 2025

Agenda Item	9.1
Report No	HLB/95/25

Application for personal licence – Lyndsay Catherine Donaldson

Report by the Clerk to the Licensing Board

Summary

This report invites the Board to hold a hearing to consider and determine an application for a personal licence under Section 72 of the Licensing (Scotland) Act 2005 (the Act).

1. Background

- 1.1 A personal licence is required to allow any individual to supervise or authorise the sale of alcohol.
- 1.2 On 15th October 2025, an application for a personal licence was received from Lyndsay Donaldson.
- 1.3 Under section 73 of the Act, Police Scotland have timeously given notice confirming that the applicant has convictions for relevant or foreign offences. A copy of the notice received from Police Scotland dated 31 October 2025 is attached (**Appendix 1**).
- 1.4 Police Scotland have included in their notice a recommendation under section 73(4) that the personal licence application be refused.

They have included additional information under section 73(5) which they consider may be relevant to consideration by the Board of the application.

- 1.5 Under section 73A of the Act, the Licensing Standards Officer has also been given notice of the application and has offered no further information which he considers relevant to the consideration by the Board of the application.
- 1.6 The applicant is entitled to be heard and has been invited to attend the hearing along with Police Scotland.

2. Legal position

- 2.1 Section 74(6) of the Act requires that at the hearing the Board must refuse the application if, after having had regard to the Police Scotland notice, any information provided by Police Scotland under section 73(5) and any information provided by the LSO under section 73A(2), the Board is satisfied that a ground of refusal applies. If not so satisfied, the Board must grant the application.

2.2 The grounds of refusal are-

- (a) that, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a personal licence,
- (b) that it is otherwise necessary to refuse the application for the purposes of any of the licensing objectives.

2.3 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.

Recommendation

The Board is invited to determine the application as follows:-

- (a) If, having had regard to the Police Scotland notice, any information provided under section 73(5) or 73A(2) and any submissions made by the applicant and/or the Police Scotland representative at the hearing, the Board is satisfied that a ground of refusal applies, the Board must refuse the application.
- (b) If the Board is not so satisfied, the Board must grant the application.

Ref.: HC/CSR/9793

Author: Andrea Merchant

Date: 05/11/2025

Appendices: Appendix 1 - Letter from Police Scotland dated 31/10/2025

31/10/2025

Your Ref:

Our Ref: 961725

Highland Council
Licensing Office
Council Headquarters
Glenurquhart Road
Inverness
IV3 5NX



Divisional Co-ordination Unit
Highland and Islands Division
Police HQ
Old Perth Road
INVERNESS
IV2 3SY

FOR THE ATTENTION OF Claire McArthur

Dear Madam,

LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A PERSONAL LICENCE. LYNDsay CATHERINE DONALDSON, [REDACTED]

I refer to the above application.

In terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005 (the 2005 Act) I give notice that, based upon the information provided and as far as the Chief Constable is aware, the applicant has been convicted of the following relevant offences.

Date	Court	Crime/Offence	Disposal
22/08/2024 PSSNEREUY0824	Inverness Sheriff Court	Assault to Injury – Domestic Aggravation	Fine £500. Victim Surcharge £20.
03/02/2025 PSSNERX4V0924	Inverness Justice of the Peace Court	Fraud (Taxi Fare)	Procurator Fiscal Compensation Order

I am unable to confirm the existence of any foreign offence in respect of the applicant.

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In terms of Section 73(5) of the 2005 Act the Chief Constable provides the following information in relation to the applicant which is relevant to the Board's consideration of the application: -

PSSNEREUY0824

On the 12th of August 2024, around 9.45pm, the applicant was within her home address with two of her children and a child belonging to the victim.

The victim returned home a short time later, and an argument ensued between the pair. This argument escalated over the course of the evening and into the next morning with the applicant striking the victim to his head and body. The victim suffered a small laceration to the rear of his head, swelling and bruising to his left eye, a graze to his right forehead, scratches to his face, neck and shoulders, bruising to his chest and acute swelling to his top lip.

This altercation was heard by an independent witness who contacted Police.

Around 6.30am on the 13th of August 2024, Police attended to a call of disturbance to the home address of the applicant. They were met with the applicant at the front steps outside the property and observed blood on her hands.

Police enquired on the applicant's welfare and were met by an admission from the applicant that the blood was not hers but that of the victim, explaining she had hit him.

Under caution the applicant provided the victim was in the address with three children. Police entered the address and observed obvious signs of a disturbance and the three children within. Their welfare was established.

The victim was hostile towards Police with visible injuries to his head, face, lips, shoulders and neck initially providing to Police that he fell.

The applicant continued under caution that she had "lifted my hands on him, laid my hands on him time and time again".

The victim wouldn't provide any formal statement to police but verbalised towards the applicant in police presence that she would just keep hitting him and that he was black and blue.

Police arrested the applicant and conveyed her to Burnett Road Police Station, Inverness. In interview the applicant admitted assaulting the victim.

The applicant was released to attend court at a later date. On the 22nd of August 2024 the applicant pled guilty to the offence at Inverness Sheriff Court and was fined £500 with a victim surcharge of £20.

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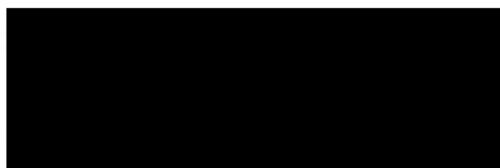
Around 1.30pm on the 6th of January 2024 the applicant took a taxi fare from her home address to Inverness, entered a business for around one hour and then instructed the taxi to take her home. The fare amount at the end of the journey was £104. The applicant was unable to pay this money with the explanation that her bank accounts had been put on hold due to fraudulent activities. She provided to the taxi driver that she would pay before the 8th of January and this was agreed.

Due to nonpayment the taxi driver reported the matter to the Police on the 10th of January 2024.

Time was given to see if payment would be made and on the 15th of September 2024, Police attended the home address of the applicant and charged her with the offence. A report was submitted to the Procurator Fiscal for consideration of prosecution whereby at Inverness Justice of the Peace court on the 3rd of February 2025 the applicant was convicted of taxi fraud and subject to a Procurator Fiscal Compensation Order.

In light of the above, the Chief Constable considers that it is necessary for the purposes of the preventing crime and disorder, securing public safety and protecting children and young persons from harm licensing objectives, that the application be refused. The Chief Constable accordingly makes a recommendation to that effect in terms of section 73(4) of the 2005 Act.

Yours faithfully

A large black rectangular box used to redact a signature.

Chief Superintendent Rob Shepherd
Divisional Commander

For enquiries please contact the Licensing Department on 03004247214.