

**The Highland Licensing Board**

**Meeting – 24 February 2026**

Agenda Item	<b>8.2</b>
Report No	<b>HLB/11/26</b>

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

**Black Isle Bar, St Mary's House, Gordon Square, Fort William, PH33 6DY**

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

**Summary**

This report relates to an application for a major variation of premises licence by Black Isle Brewing Company Limited, Old Allangrange, Munloch, Ross-shire, IV8 8NZ.

**1.0 Description of premises**

1.1 The Black Isle Bar is a craft beer bar with ancillary food provision located at the west end of Fort William town centre.

Outdoor drinking areas include an external bar terrace on the second floor, areas to the front and rear (car park) of the premises.

**2.0 Current operating hours**

2.1 The premises currently enjoys the following operating hours:

**On sales:**

Monday to Sunday: 1100 hours to 0100 hours

**Off sales:**

Monday to Sunday: 1100 hours to 2200 hours

### 3.0 Summary of variation application

#### 3.1 Variation sought

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

(1) **Extension of outside drinking hours:**

Extend the permitted outside drinking hours for the external beer garden at the front of the premises only, from 2200 hours to 2300 hours.

(2) **Operating Plan Amendments:**

1. Add dance facilities within core hours;
2. Under **Any Other Activities (5(f))**, replace/amend wording referring to the 'rear' external drinking area with the following:

*“The external drinking area to the rear of the premises, as shown on Plan 2 of 3 of the layout plans, may be used as an additional drinking, eating and seating area as and when required.”*

#### 4.0 Background

- 4.1 On 23 December 2025 the Licensing Board received an application for a major variation of a premises licence from Black Isle Brewing Company Limited.
- 4.2 The application was publicised during the period 8 January until 29 January 2026 and confirmation that the site notice was displayed has been received.
- 4.3 In accordance with standard procedure, Police Scotland, the Scottish Fire & Rescue Service and the Councils' Community Services (Environmental Health) and Planning and Building Standards were consulted on the application.
- 4.4 Notification of the application was also sent to NHS Highland and the local Community Council.
- 4.5 Further to this publication and consultation process, the following timeous notices of representation have been received:
  - Representation from Police Scotland dated 26 January 2026 which is attached as **Appendix 1**;
  - Representation from Highland Councils' Environmental Health Service dated 21 January 2026 which is attached as **Appendix 2**;
  - Representation from Highland Councils' Planning Service dated 12 January 2026 which indicated that, whilst Planning do not formally object, they note that the increase in hours for the external seating area could bring about amenity issues.

- 4.6 A copy of this report has been sent to the applicant, Police Scotland and the Councils' Environmental Health and Planning Services, who have all been invited to attend the meeting and will be provided with an opportunity to be heard by the Board.
- 4.7 All parties have also been advised of the procedure which will be followed at the meeting which may also be viewed via the following link:

[http://highland.gov.uk/hlb\\_hearings](http://highland.gov.uk/hlb_hearings)

## **5.0 Legislation**

- 5.1 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.
- 5.2 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.
- 5.3 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.
- 5.4 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.

## **6.0 Licensing Standards Officer**

The Licensing Standards Officer has provided the following comments:-

- (i) During consultation with mandatory consultees regarding the application, Police Scotland and the Councils' Environmental Health and Planning Services, whilst not objecting to the application in general, refer to the proposed extension of external drinking time from 2200 hours to 2300 hours at the front of the premises by means of representation. The rear external area and terrace area would still be subject to the 2200 hours restriction attached to the Premises Licence as per condition (m).
- (ii) The common thread from each of the consultees is based on:
  - **Licensing Objective 3 - Preventing public nuisance**

In the opinion of the Licensing Standards Officer, I find myself considering this matter purely from a licensing perspective, specifically in relation to Licensing Objective 3: preventing public nuisance, with reference to the proposed extension of the external drinking area hours from 2200 hours to 2300 hours, due to the location of the premises in close proximity to residential properties and other accommodation.
- (iii) The applicant has intimated attendance at the Board meeting to give their view/reasons for requesting this extension.
- (iv) Notwithstanding all of the above, the Board may determine what they consider is appropriate in relation to this proposed extension to external drinking times at the front of the premises.

## **7.0 HLB local policies**

7.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2023-28
- (2) Highland Licensing Board Equality Strategy

## **8.0 Conditions**

### **8.1 Mandatory conditions**

If the application is approved the mandatory conditions set out in Schedule 3 of the Act will apply.

## 8.2 Local conditions

If the application is granted in its entirety, I recommend that the existing local conditions (attached for ease of reference as **Appendix 3**) continue to apply, and that the following additional local conditions be attached:-

- **Local Condition (m)**

After 2200 hours, alcoholic or non-alcoholic drinks shall not be consumed in the rear or terraced external drinking areas.

After 2300 hours, alcoholic or non-alcoholic drinks shall not be consumed in the front external seating area of the premises.

- **Local Condition (o)**

The licence holder shall ensure that consumption of drinks (alcoholic or non-alcoholic) in any outside drinking area is permitted only by customers seated at the tables and chairs provided in the outside drinking area and not by customers standing in that area.

- **Local Condition (p)**

The licence holder shall ensure that all outdoor tables are regularly cleared of all used glassware, crockery, cutlery and refuse.

## 8.3 Special condition

Taking into consideration the representation received from the Councils' Environmental Health Service referred to at para. 4.5 above, it is recommended that the following special condition is considered necessary:-

- A written Outdoor Area Noise Management Plan, as approved by the Highland Councils' Environmental Health Service, must be kept on the premises and made available to officers of the Licensing Authority or Environmental Health upon request.

## **Recommendation**

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local/special conditions detailed at paras. 8.2 and 8.3 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/1902  
Date: 10 February 2026  
Author: Julie Traynor

## **Appendices:**

1. Representation from Police Scotland dated 26 January 2026;
2. Representation from Highland Councils' Environmental Health Service dated 21 January 2026;
3. Current local conditions attached to Black Isle Bar Premises Licence.

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26/01/2026

Your Ref: HC/RSL/1902

Our Ref: 979972

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 VARIATION OF A PREMISES LICENCE. BLACK ISLE BAR FORT WILLIAM, GORDON SQUARE, FORT WILLIAM, PH33 6DY. BLACK ISLE BREWING CO. LTD.**

I refer to the above application for the variation of a premises licence under terms of Section 29(5) of the Licensing (Scotland) Act 2005.

The variation requested consists of a time extension of outside drinking hours at the front external beer garden to 2300 hours and changes to the operating plan as follows; 1. Add dance facilities within core hours. 2. Under 'Any Other Activities' (5(f)), replace/amend wording referring to the 'rear' external drinking area with the following: "The external drinking area to the rear of the premises, as shown on Plan 2 of 3 of the layout plans, may be used as an additional drinking, eating and seating area as and when required."

In terms of Section 29(5) of the Act this request can be considered a variation.

In terms of Section 22(1)(b)(ii) and (iii) of the same Act, I make the following representation.

The Licensing Board's Statement of Licensing Policy 2023 - 2028 is clear on the requirement for a restriction in use of outside drinking areas in the interest of preventing public nuisance.

In terms of Section 22(1)(b)(ii) and (iii) of the Licensing (Scotland) Act 2005, I am of the opinion that the variation in its current form should be modified so that the extension to 2300 hours for the front outside area is not adopted due to the risk to the

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Licensing Objective, namely preventing public nuisance. This is due to the close proximity of the premises to residential addresses and other accommodation.

If the variation, or an amended version is approved, I request that the Licensing Board considers that conditions be imposed in respect of:

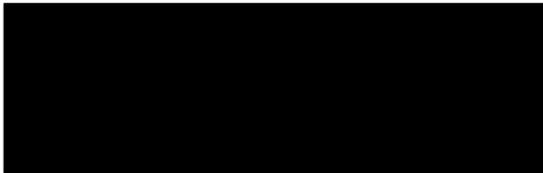
The licence holder shall ensure that consumption of drinks (alcoholic or non-alcoholic) in any outside drinking area is permitted only by customers seated at the tables and chairs provided in the outside drinking area and not by customers standing in that area.

The licence holder shall ensure that all outdoor tables are regularly cleared of all used glassware, crockery, cutlery and refuse.

After 23:00 hrs alcoholic or non-alcoholic drinks shall not be consumed in the front external seating area of the premises, and a written Noise Management Plan must be kept on the premises and made available to officers of the Licensing Authority or Environmental Health upon request.

This representation is submitted for your attention in considering this application.

Yours faithfully



Chief Superintendent Rob Shepherd  
Divisional Commander

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## Appendix 2

**APPLICATION: MAJOR VARIATION OF PREMISES LICENCE**

**PREMISES : BLACK ISLE BAR  
ST MARY'S HOUSE  
GORDON SQUARE  
FORT WILLIAM, PH33 6DY**

**FROM: ENVIRONMENTAL HEALTH SERVICE**

**DATE: 21 JANUARY 2026**

Environmental Health does not object to the proposed extension of licensed hours; however, given the site-specific characteristics and the history of noise complaints, we have concerns regarding the potential for public nuisance.

While complaints may not have been excessive, outdoor customer noise during the proposed additional hour may still cause disturbance to nearby residents, which Environmental Health considers a credible risk given the nature of outdoor drinking and the limited ability to control raised voices.

Environmental Health therefore recommends that the following conditions be applied should the Board decide to grant the variation:

1. The outdoor area must be cleared of customers by 23:00, with no further consumption of alcohol permitted outdoors after that time.
2. No amplified music, live or recorded is to be played in or directed toward the outdoor area at any time.
3. The premises must operate an Outdoor Area Noise Management Plan, detailing how staff will monitor and intervene to prevent noise disturbance (e.g. regular supervision checks, prompt staff intervention if noise levels escalate, signage reminding patrons to respect neighbours, and procedures for responding to noise complaints).
4. All external furniture must be arranged and maintained to minimise noise, and no dragging or stacking of furniture is permitted after 22:00.

The premises shall operate in accordance with a written Noise Management Plan, which must be kept on the premises and made available to officers of the Licensing Authority or Environmental Health upon request.

Signed: L Roberts, Trainee Environmental Health Officer

Date: 21 January 2026

**CURRENT LOCAL CONDITIONS : BLACK ISLE BAR**

	<b>Condition</b>	<b>Licensing objective</b>
<b>Children</b>		
a.	Children under the age of 16 are excluded from any room where there is a bar counter after 2200 hours except during private functions or for the purpose of viewing live entertainment or where the child is in the room for the purpose of taking a meal. This condition does not apply to any child who is in the bar solely for the purpose of passing to or from some other part of the premises being a part to or from which there is no other convenient means of access or egress.	5
b.	Whilst in any room with a bar counter all children must be in the company of, or supervised by an appropriate responsible adult. This condition does not apply to children of the licence holder or children who are resident on the premises.	5
c.	Notwithstanding conditions (a) and (b) children must not sit or remain at the bar counter at any time.	5
<b>Late opening</b>		
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 those dates for which notice has been given by the licence holder to the Board and to Police Scotland in accordance with this condition.	1 & 2
<b>Outdoor drinking areas</b>		
n(i).	No live or recorded music shall be played in any outdoor drinking area.	3
m.	After 2200 hours, alcoholic or non alcoholic drinks shall not be consumed in any outdoor drinking area.	3

## **SPECIAL CONDITIONS**

- (1) No glass disposal shall take place between the hours of 2300 hours and 0800 hours;
- (2) No deliveries shall take place between the hours of 2300 hours and 0800 hours;
- (3) On any occasion that the premises are open after 0100 hours a person who is the holder of a Scottish Personal Licence shall be present on the premises from 0100 hours;
- (4) On any occasion that the premises are open after 0100 hours a person who is the holder of a current First Aid Qualification shall be present on the premises from 0100 hours.