

## The Highland Licensing Board

Meeting – 24 February 2026

Agenda Item	8.3
Report No	HLB/12/26

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

**The Strathtearn, Tomatin, Inverness, IV13 7YN**

### Report by the Clerk to the Licensing Board

#### Summary

This report relates to an application for a major variation of premises licence by White River Trading Ltd, The Strathtearn, Tomatin, Inverness, IV13 7YN.

#### 1.0 Description of premises

1.1 The Strathtearn is a community hub situated in the centre of the village of Tomatin some 16 miles from Inverness. It consists of a public hall, café and shop.

#### 2.0 Summary of variation application

##### 2.1 Variation sought

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

- (1) Q5(c) Add dance facilities, theatre facilities, films, games and sports activities.
- (2) Q5(f) Craft fairs, Christmas and Hogmanay events.
- (3) Change of description of premises.

### **3.0 Background**

- 3.1 On 19 December 2025 the Licensing Board received an application for a major variation of a premises licence from White River Trading Ltd.
- 3.2 The application was publicised during the period 12 January until 2 February 2026 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 Strathdearn is the community hub at Tomatin incorporating a community shop, community café (Taste of Tomatin), community hall and outdoor areas. When the operators applied for and were granted a licence in 2020, the licensed footprint incorporated said community shop, community cafe (Taste of Tomatin) community hall and outdoor areas. However, in 2022 in an effort to cut licensing costs the applicants requested the removal of part of their licensed footprint to leave the shop and café as the only parts of the hub covered under terms of their licence. Over the past three years the operators have found it increasingly difficult to manage the occasional licences required for the various activities they run at the hub and, are now seeking to reinstate the parts previously covered under their premises licence within their licensed footprint.

(ii) Application is sought at Q5(c) of the operating plan to add dance facilities, theatre facilities, films, games and sports activities.

(iii) Application is sought at Q5(f) of the operating plan to add a range of additional activities i.e. Craft fairs, Christmas and Hogmanay events.

(iv) Application has been made at Section (d) which seeks to amend the description of premises to reflect the overall licensed footprint of the premises.

(v) The operating history of the premises has been entirely satisfactory, compliance visits by the LSO have shown the premises to be well run according to the terms and conditions of the licence.

(vi) During the public consultation phase of this application, no objections or representations were received by the Licensing Board.

(vii) The LSO is satisfied that should the Highland Licensing Board wish to grant this application then there will be no threat to the Licensing Objectives.

## **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 it is recommended that the following additional local conditions be attached:

(m) After 2100 hrs, alcoholic or non-alcoholic drinks shall not be consumed in any outdoor drinking area.

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

(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.

### **7.3 Special conditions**

Existing special conditions will continue to apply.

1. On any occasion that these premises are permitted to be open later than 0100 hours a personal licence holder shall be on duty at the premises until all patrons have left the premises.
2. On any occasion that these premises are permitted to be open later than 0100 hours a qualified first aider shall be on duty at the premises until all patrons have left the premises.

**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. 7.2 and 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/INBS/656  
Date: 10 February 2026  
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