

## The Highland Licensing Board

Meeting – 31 March 2026

Agenda Item	9.2
Report No	HLB/22/26

### The Licensing (Scotland) Act 2005

#### Premises licence review hearings – non-payment of annual premises licence fees

#### Report by the Clerk to the Licensing Board

##### Summary

The Board made premises licence review proposals on 24 February 2026 in respect of those premises for which the annual premises licence fee for the year 2025/26 remained unpaid in breach of the mandatory condition of licence. The Board must hold review hearings to consider and determine their review proposals in respect of the following premises for which annual licence fees remain unpaid.

	<b>Ref</b>	<b>Premises</b>	<b>Licence holder</b>
1	HC/CSR/1919	The Coach House, Balinroich, Fearn	Nautilus Gin Foundry Ltd
2	HC/RSL/1151	Glencoe Village Store, Carnoch, Glencoe	Acaman Properties Ltd

1. In terms of the Licensing (Scotland) Act 2005 an annual fee is payable for each premises licence. The fee becomes due on 1 October in each year.
2. The fees in respect of the licences for each of the premises listed above were due on 1 October 2025.
3. The Board has complied with its legal obligation to send a reminder no later than 30 days before the date on which the fees were due.
4. The licence holders listed above have accordingly received these reminders and have been advised of the possible consequences of failure to pay.

5. Payment of the annual fee is a mandatory condition of holding a licence and the Act clearly specifies that the fee must be paid as required.

The annual fees represent approximately 66% of the income required by the Board to meet the expenses incurred by the Board in administering the Act.

6. The premises licence holders listed above and the Licensing Standards Officer for the area in which each premises concerned are situated have been given notice of the review proposals and of the review hearings.

7. The Licensing Standards Officers' Reports on the review proposals are attached at **Appendix 1** and the Board must take the relevant report into account at each review hearing.

8. In terms of Section 39 of the Act, if at a review hearing the Board is satisfied that the ground for review is established, the Board may take such of the following steps as the Board considers necessary or appropriate for the purposes of any of the licensing objectives:-

1. Issue a written warning
2. Make a variation of the licence
3. Suspend the licence for such period as the Board may determine
4. Revoke the licence

#### **7. Recommendation:**

The Board is invited to hear the above licence holders and then to consider and determine the premises licence review proposal for each of the premises detailed above.

Author: Clerk to the Licensing Board

Date: 19 March 2026

Appendices: Licensing Standards Officer's reports

## **Report by the Licensing Standards Officer**

### **Review hearing in terms of the Licensing (Scotland) Act 2005, Section 38(1)**

**Premises: The Coach House, per Nautilus Gin Foundry, Balinroich, Fearn, by Tain, Easter Ross**

#### **1.0 Licensing History:**

- 1.1 Nautilus Gin Foundry Ltd Ltd is the holder of the premises licence HC/CSR/1919 for the premises known as The Coach House, Nautilus Gin Foundry. The premises operated as a distillery and alcohol off sales premises.
- 1.2 The premises licence is subject to Mandatory Conditions in accordance with Schedule 3 of the Licensing (Scotland) Act, 2005.
- 1.3 To date, the annual fee of £192 due on 1<sup>st</sup> October 2025 has not been paid.

#### **2.0 Legislation:**

- 2.1 In terms of the Mandatory Conditions in accordance with Schedule 3 of the Licensing (Scotland) Act, 2005 introduced by Section 27(1), an annual fee must be paid by virtue of the regulations under section 136(1).
- 2.2 On 3 March 2026, I received notice in terms of section 38(3)(b)(ii) of the Licensing (Scotland) Act 2005 of the Highland Licensing Board's intention to hold a review hearing in respect of the above premises following the premises licence holder's failure to pay the prescribed annual fee in breach of Mandatory Condition 10.
- 2.3 This Report is submitted in terms of section 38(4)(a) of the Licensing (Scotland) Act, 2005.

#### **3 Background Information:**

- 3.1 I can confirm that the Licensing Board's correspondence informing the premises licence holder of the proposed review hearing was sent by First Class post and Recorded Delivery.
- 3.2 All attempts to contact the licence holder by means of telephone, mobile as well as e-mail have been unsuccessful all coming back as unobtainable.

The premises do not appear to be currently trading.

Designation: Licensing Standards Officer

Reference: HC/CSR/1919

Date: 03 March 2026

Author: Garry Cameron

Background Papers: The Licensing (Scotland) Act 2005

## **Report by the Licensing Standards Officer**

### **Review hearing in terms of the Licensing (Scotland) Act 2005, Section 38(1)**

**Premises: Glencoe Village Store, Carnoch, Glencoe, PH49 4HS**

#### **1.0 Licensing History:**

- 1.1 Acaman Properties Limited is the current holder of the premises licence HC/CSR/1151 for the premises known as Glencoe Nisa. The premises is currently not trading but previously operated as local convenience store.
- 1.2 The premises licence is subject to Mandatory Conditions in accordance with Schedule 3 of the Licensing (Scotland) Act, 2005.
- 1.3 To date, the annual fee of £192 due on 1<sup>st</sup> October 2025 has not been paid.

#### **2.0 Legislation:**

- 2.1 In terms of the Mandatory Conditions in accordance with Schedule 3 of the Licensing (Scotland) Act, 2005 introduced by Section 27(1), an annual fee must be paid by virtue of the regulations under section 136(1).
- 2.2 On 25 February 2026, I received notice in terms of section 38(3)(b)(ii) of the Licensing (Scotland) Act 2005 of the Highland Licensing Board's intention to hold a review hearing in respect of the above premises following the premises licence holder's failure to pay the prescribed annual fee in breach of Mandatory Condition 10.
- 2.3 This Report is submitted in terms of section 38(4)(a) of the Licensing (Scotland) Act, 2005.

#### **3 Background Information:**

- 3.1 I can confirm that the Licensing Board's correspondence informing the premises licence holder of the proposed review hearing was sent by First Class post and Recorded Delivery.
- 3.2 During the above process, the Licensing Board was advised that the business owner had sadly passed away.

Steps are currently being taken to transfer the premises licence to the new owner, who has confirmed that the outstanding invoice will be paid prior to the Board Meeting on 31 March 2026.

The Clerk will provide a verbal update to confirm the position.

Designation: Licensing Standards Officer

Reference: HC/CSR/1151

Date: 25 February 2026

Author: Chris MacKinnon

Background Papers: The Licensing (Scotland) Act 2005