

The Highland Licensing Board

Meeting – 12 May 2026

Agenda Item	6.3
Report No	HLB/30/26

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

Ben Alder Estate, Dalwhinnie, PH19 1AE

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 Ben Alder Estate, Dalwhinnie, PH19 1AE

1.0 Description of premises

1.1 The Ben Alder Estate is situated in the Dalwhinnie area some 55 miles South of Inverness and consists of the estate office, holiday lets and 56,500 acres of estate land.

2.0 Operating hours

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

On sales:

Monday to Sunday: 1100 hours to 0100 hours

The applicant seeks the following **off-sale** hours:

Off sales:

Monday to Sunday: 1000 hours to 2200 hours

3.0 Background

3.1 On 17 March 2026 the Licensing Board received an application for the grant of a premises licence from Ben Alder Estate Ltd.

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 23 March until 20 April 2026 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) Application has been made for the grant of a premises Licence at Ben Alder Estate, Dalwhinnie. The Estate spans an area of over 56,00 acres centred around the shores of Loch Ericht and the base of Ben Alder mountain, offering remote wilderness, luxury accommodation and sporting activities.

(ii) Application is sought to licence the entirety of the Estate which comprises Ben Alder Lodge, The Sheiling, An Tochailt, Gate Lodge, Culra Lodge, McCooks Bothy and Strathmashie Cottage as well as the grounds of the Estate where a number of lunch huts are situated, to facilitate refreshment breaks during the various activities.

(iii) Application has been made within the application to permit the sale of alcohol as follows;

On Sales – Monday to Sunday: 1100 hours to 0100 hours

Off sales - Monday to Sunday: 1000 hours to 2200 hours

(iv) The purpose is to allow corporate bookings of the premises to facilitate a range of activities including corporate hospitality, product launches, team building days, deer stalking, fishing, weddings etc., (a full list of activities has been included at section 5 of the operating plan) where alcohol will be dispensed by trained staff as required. Furthermore, this will also allow the operators to provide either a mini bar or a welcome hamper for guests at the various letting properties across the Estate as and when requested by the clients. These alcohol packages can be provided according to guest's requirements through pre-ordering, to be self-poured by guests, during the course of their stay and the operators will ensure proof of age requirements with guests at time of booking.

(v) Off sales have been listed within the application but there will be no alcohol display area with all alcohol being provided from a lock fast store within the Estate Office. This location supports the Estate's off-sales provision. Fishing or shooting parties based on the Estate may order luncheon hampers, which can include alcohol securely provided from this lockfast store. Therefore, there is no consideration of the question of over provision.

(vi) The Estate and its different premises have been visited by the LSO, and they are considered suitable for the sale of alcohol as indicated within the

operating plan.

(vii) The application is also accompanied by the necessary section 50 certificates in relation to planning, building standards and food hygiene.

(viii) It is the opinion of the LSO, that the operating plan meets the requirements of the licensing objectives.

(ix) Following the public consultation phase of this application no objections or representations have been received by the Highland Licensing Board.

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

No local conditions are considered necessary.

7.3 Special conditions

No special conditions are considered necessary.

Recommendation

The Board is invited to determine the above application.

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/721
Date: 28 April 2026
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