

## The Highland Licensing Board

Meeting – 12 May 2026

Agenda Item	7.1
Report No	HLB/32/26

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

Hotel Chocolat, Unit 17, Eastgate Shopping Centre, Inverness, IV2 3PP

### 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 Hotel Chocolat, Unit 17, Eastgate Shopping Centre, Inverness. IV2 4PP

#### 1.0 Description of premises

1.1 The Hotel Chocolat is situated within Eastgate Shopping Centre and consists of a retail shop and cafe.

#### 2.0 Operating hours

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

##### On sales:

Monday to Sunday: 1100 hours to 2200 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 11 February 2026 the Licensing Board received an application for the provisional grant of a premises licence from Hotel Chocolat Retail Limited.

3.2 The application was accompanied by the necessary section 50 certification in terms of Planning, together with a Disabled Access Statement.

3.3 The application was publicised during the period 23 February until 16 March 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 a provisional premises licence by the applicant for a retail shop trading as Hotel Chocolat situated within Unit 17, Eastgate Centre, Inverness. The premises incorporate the traditional Hotel Chocolat retail store with the addition of the Velvetiser Café to the rear of the store.

ii) Application has been made within the application to permit the sale of alcohol as follows:

**On Sales** – Monday to Sunday: 1100 hours to 2200 hours

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

The premises will generally trade until about 18.00 hrs each day but may open later to accommodate busier trading times i.e. festive period, peak summer tourist season etc.

(iii) The premises are suitable for the type of business operation as described within the operating plan. The shop will sell luxury chocolates and chocolate gifts as well as a range of Hotel Chocolat alcohol products which are available for sale by way of off sales only. The Velvetiser Café will sell a range of drinking chocolates, coffees and teas alongside bespoke bakes and cakes. The sale and supply of alcohol for on consumption will take place from time to time during events i.e. product reviews and ticketed customer events – alcohol will not be sold for consumption on the premises during normal day to day trading.

(iv) As a predominantly off sales premises, the question of alcohol capacity requires to be considered by the Board; currently there is a presumption against any application in excess of 30m<sup>2</sup>. The capacity within this application comes in at a total of 4.318m<sup>2</sup> which is well within the Highland Licensing Board policy for consideration of overprovision

(v) The LSO has reviewed the operating plan submitted and finds that it is compliant in respect of the 5 licensing objectives. The necessary section 50 certificate has been submitted in respect of planning along with the required layout plans.

(vi) Following the statutory consultation phase of the 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/718  
Date: 27 April 2026  
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