

## The Highland Licensing Board

Meeting – 12 May 2026

Agenda Item	8.7
Report No	HLB/43/26

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

Scotmid, 37 High Street, Avoch

### Report by the Clerk to the Licensing Board

#### Summary

This report relates to an application for a major variation of premises licence by Scottish Midland Co-operative Society Ltd.

#### 1.0 Description of premises

1.1 The premises is a mixed use convenience store in a detached building situated in a mainly residential area of Avoch. The premises were granted a premises licence on conversion on 1 September 2009.

#### 2.0 Current operating hours

2.1 The premises currently has the following operating hours:

##### Off sales:

Monday to Sunday: 1000 hrs to 2200 hrs

#### 3.0 Summary of variation application

##### 3.1 Variation sought

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

- 1) add music as an activity to be provided within and outwith core hours.
- 2) add home deliveries to other services to be provided on the premises.

#### 4.0 Background

4.1 On 20 February 2026 the Licensing Board received an application for a major variation of a premises licence from Scottish Midland Co-operative Society Ltd.

4.2 The application was publicised during the period 20 March to 10 April 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 Council's 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 no timeous objections or representations have been received.
- 4.6 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:

[Highland Licensing Board - 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.
- 5.2 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.
- 5.3 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.
- 5.4 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.

5.5 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**

6.1 The LSO has provided the following comments:-

- a) The property known as Scotmid is a local grocery, and general goods store which is located in the village of Avoch on the Black Isle, Ross-shire.
- b) This application is to add recorded music as an activity as well as adding delivery of Off Sales alcohol.
- c) The premises have operated for many years without adverse comment.
- d) The activities sought would appear to be reasonable and appropriate for the proposed operation of the premises.
- e) There would not appear to be any matter contained within the application that is inconsistent with the licensing objectives.
- f) During the period of public consultation, no objections were received.
- g) I have no objection to this application.

## **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**

None apply.

**Recommendation**

The Board is invited to determine the above application and if minded to grant the 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/CSR/1186

Date: 23 April 2026

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