

The Highland Licensing Board

Meeting – 12 May 2026

Agenda Item	8.8
Report No	HLB/44/26

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

Nairn Dunbar Golf Club, Lochloy Road, Nairn, IV12 5AE

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by Nairn Dunbar Golf Club, Lochloy Road, Nairn, IV12 5AE.

1. Description of premises

1.1 Nairn Dunbar Golf Club is a traditional Scottish links style 18 hole golf course on the outskirts of Nairn.

2. Current operating hours

2.1 The premises currently enjoys the following operating hours:

On sales:

Monday to Thursday: 1100 hours to 2300 hours
Friday to Saturday: 1100 hours to 0030 hours
Sunday: 1100 hours to 2300 hours

Off sales:

Monday to Saturday. 1100 hours to 2200 hours
Sunday: 1230 hours to 2200 hours

3. Summary of variation application

3.1 Variation sought

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

(1) We are looking to include our halfway hut in the licence to serve alcohol to golfers when playing the course. The halfway house is located between our 11th and 12th holes.

(2) Change to description to read: 'The building is a two storey brick construction erected in 1997/98 adjacent to Lochloy Road in Nairn opposite

residential houses. There is also a halfway house on the course which has on course toilets. The premises are only used by members and their guests and has a bar, lounge and restaurant facilities. Almost all Clubhouse sales will be for consumption on site with few off sales. Halfway house on the course will be off sales. Organised functions such as quizzes and bingo plus some dinner dances will take place during the year.

(3) Off sales to commence at 10.00 hrs Monday-Sunday rather than 11.00 hrs.

(4) Slight change to childrens policy.

4. Background

4.1 On 4 March 2026 the Licensing Board received an application for a major variation of a premises licence from Nairn Dunbar Golf Club.

4.2 The application was publicised during the period 9 March until 30 March 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 process, 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:

5. 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.

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.

5.2 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.

5.3 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.

5.4 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.

6. Licensing Standards Officer

6.1 The LSO has provided the following comments:-

Nairn Dunbar Golf Club is an established members only club situated on the eastern periphery of Nairn which has held an alcohol premises licence since 2009. The premises is a purpose built, single storey, golf clubhouse comprising pro-shop, offices, changing facilities, restaurant/bar. Along the exterior of the Clubhouse there is a terrace to accommodate tables for outdoor eating and drinking.

Application for major variation has been received from Nairn Dunbar Golf Club whereby the applicant seeks to vary the off sales capability as follows: -

- Off sales to commence at 1000 hours Monday to Sunday (currently 1100 hours)

Application is sought to offer the use of a current halfway house situated between the 11th and 12th holes, offering on sales of alcohol, which will be available to golfer's and caddies only on the golf course. This facility will operate restricted hours and will be staffed at all times whilst open.

Application is sought at Section D to update the description of the premises within the premises licence to reflect the current operations of the premises.

Application is sought at Q6(b) for an amendment to the children and young persons' policy to reflect the current operation of the premises. This amendment seeks to allow children and young persons who are accompanied by an adult, to access the back bar for the purpose of taking a meal. The amendment sought is appropriate and within policy.

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.

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

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.

7. 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. 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

Existing local conditions will continue to apply and it is recommended that the following additional local conditions be attached:

- (m) After 22.00 hours 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 outdoor drinking area is permitted only by customers seated at the tables and chairs provided in the outside drinking area and not by customers standing there.
- (p) The licence holder shall ensure that all outdoor tables are regularly cleared of all used glassware, crockery, cutlery and refuse.

8.3 Special conditions

The Board may wish to consider attaching the following special condition:

- (1) Alcohol sold from the halfway house on the golf course will only be supplied to golfers and caddies using the golf course to play golf.

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. 8.2 and 8.3 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/377

Date: 27 April 2026

Author: Marjory Bain