

**The Highland Licensing Board**

**Meeting – 12 May 2026**

Agenda Item	<b>8.10</b>
Report No	<b>HLB/46/26</b>

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

**Smiddy House, Roy Bridge Road, Spean Bridge, PH34 4EU**

**Report by the Clerk to the Licensing Board**

**Summary**

This report relates to an application for a major variation of premises licence by Smiddy House Property Limited, 15 Park Terrace, Stump Cross, Halifax, HX3 7AF.

**1.0 Description of premises**

1.1 The Smiddy House is a licensed guest house located in the village of Spean Bridge offering bed and breakfast accommodation with four en-suite guest bedrooms.

**2.0 Current operating hours**

2.1 The premises currently enjoys the following operating hours:

**On sales:**

Monday to Saturday: 1100 hours to 0100 hours  
Sunday: 1230 hours to 1600 hours and 1700 hrs to 0100 hrs

**Off sales:**

Monday to Saturday: 1100 hours to 2200 hours  
Sunday: 1230 hours to 1600 hours and 1700 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) Operating hours:

- **Amendment to core licensed hours:**

- **On-Sales:**

- Sunday: update to 1100 hrs to 0100 hours

- **Off-Sales:**

- Sunday: update to 1100 hrs to 2200 hrs

##### (2) Operating plan activities:

- **5(d) Outdoor drinking facilities**

- Update column 3 to answer 'Yes', to permit activity to take place outwith core licensed hours.

- **Reason:** to allow consumption of food, snacks and non-alcoholic drinks.

- **5(f) Any other activities**

- A horse box/catering trailer located within the car park area (inside the licensed footprint) which may sell pizza, food and non-alcoholic drinks to both residents and non-residents for takeaway or, at management's discretion, for consumption within designated external or internal drinking/eating areas.

- Residents and non-residents may also purchase alcohol from the Smiddy House to consume with their food.

- No food will be served after 2100 hrs.

##### (3) Children and young persons policy:

Update paragraphs (b), (d) and (e) as follows:

- **Terms (b):**

- Update current policy to permit resident and non-resident children and young persons entry to the premises when accompanied by an appropriate adult.

- Permit non-resident children and young persons to enter the premises unaccompanied for the purposes of purchasing takeaway food/non-alcoholic drinks from the catering trailer at the discretion of management.

- **Times (d):**

- Update current policy to allow children and young persons entry at all times, at the discretion of management.

- **Parts (e):**

Update current policy to allow children and young persons entry to all public parts of the premises.

**(4) Layout plans**

Expand the licensed footprint of the premises to now include car park area, a self-catering cottage and a horse box/catering trailer. (No change to the current layout within Smiddy House).

**(5) Premises Description:**

Update premises description to reflect the inclusion of the catering trailer/horsebox and self-contained cottage.

## **4.0 Background**

- 4.1 On 9 February 2026 the Highland Licensing Board received an application for a major variation of a premises licence from Smiddy House Property Limited.
- 4.2 The application was publicised during the period 23 March until 13 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 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: [www.highland.gov.uk/hlb\\_hearings](http://www.highland.gov.uk/hlb_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.

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.

## **6.0 Licensing Standards Officer**

6.1 The LSO has provided the following comments:-

- (i) The Smiddy House is located in a mixed residential/commercial area in a small village beside Spean Bridge.
- (ii) An application for a major variation is sought to increase the licensed footprint of the premises to incorporate a self-contained cottage providing guest accommodation with breakfast/breakfast hamper and a horsebox/catering trailer which will offer takeaway food and non-alcoholic drinks to residents and non-residents. No alcohol will be sold from the horsebox/catering trailer.
- (iii) The application also addresses a number of amendments required by the applicant to ensure that the updated operating plan and premises description accurately reflect the current nature of the business.
- (iv) The premises offer on and off sales to residents and non-residents.
- (v) The application is within Highland Licensing Board policy.
- (vi) The application is consistent with the licensing objectives.
- (vii) No timeous objections or representations have been received in respect of the application.

(viii) I have no objections 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**

Existing local conditions will continue to apply, and it is recommended that the following additional local conditions be attached in the interests of Licensing Objective 3 (Preventing public nuisance):

- **Local Condition (m)**

After 2200 hrs, alcoholic or non- alcoholic drinks shall not be consumed in any outdoor drinking area.

- **Local Condition (n)**

No live or recorded music shall be played in any outdoor drinking area.

### **Recommendation**

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local conditions detailed at para. 8.2 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/RSL/1054

Date: 27 April 2026

Author: Julie Traynor