

The Highland Licensing Board

Meeting – 23 June 2026

Agenda Item	9.2
Report No	HLB/61/26

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

The Pizzeria, 37 High Street, Fort William, PH33 6DH

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by Black Sheep Management Services Limited, Tom An Oir, Invergarry, PH35 4HR.

1.0 Description of premises

1.1 The Pizzeria is a restaurant located on Fort William High Street.

2.0 Summary of variation application

2.1 Variation sought

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

1. Increase restaurant capacity from 56 to 60 persons, including staff.
2. Create a new outdoor drinking area with a capacity for 24 persons.
3. Include outdoor drinking activity within operating plan (during core hours).
4. Provide a revised layout plan reflecting recent internal refurbishments and the addition of an outdoor drinking area.
5. Update the premises description accordingly.

3.0 Background

3.1 On 7 May 2026 the Licensing Board received an application for a major variation of a premises licence from Black Sheep Management Services Limited per Twindeer Law, Lochaber Rural Complex, Fort William.

- 3.2 The application was publicised during the period 18 May 2026 until 8 June 2026 and confirmation that the site notice was displayed has been received.
- 3.3 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.
- 3.4 Notification of the application was also sent to NHS Highland and the local Community Council.
- 3.5 Further to this publication and consultation process, no timeous objections or representations have been received.
- 3.6 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

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 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.
- 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 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.
- 4.4 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.

5.0 Licensing Standards Officer

5.1 The LSO has provided the following comments:-

- (i) The premises are located on Fort William High Street and comprise on the ground floor of a restaurant/show kitchen with cooking facilities, bar area, with additional storage areas and toilet facilities in the basement. The premises will also offer takeaway.
- (ii) The application is within Highland Licensing Board policy.
- (iii) The application aligns with the licensing objectives.
- (iv) No objections or representations have been received in connection with the premises.
- (v) The application is really to reflect an amendment in the layout of the premises while affording some extra internal capacity with an additional outside drinking/eating area which is very common place now for premises like this.
- (vi) If the Board is minded to grant this application the LSO suggests the Local Conditions outlined at para 7.2 below be applied.
- (vii) I have no objections to this application.

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

Existing local conditions will continue to apply and the Licensing Standards Officer recommends that the following additional local conditions be attached:

- m. After 2200 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 outside drinking area is permitted only by customers seated at the tables and chairs provided in the outside drinking area and not by customers standing in that area.
- p. The licence holder shall ensure that all outdoor tables are regularly cleared of all used glassware, crockery, cutlery and refuse.
- q. Within 15 minutes of the conclusion of permitted hours for any outside drinking area situated on a public footpath, all tables, chairs, parasols and other moveable furniture will be removed.

7.3 Special conditions

No special conditions are considered necessary.

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. 7.2 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/1971

Date: 10 June 2026

Author: Julie Traynor