

## The Highland Licensing Board

Meeting – 23 June 2026

Agenda Item	9.4
Report No	HLB/63/26

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

Glengarry Filling Station, Invergarry, Inverness-shire, PH35 4HL

#### Report by the Clerk to the Licensing Board

##### Summary

This report relates to an application for a major variation of premises licence by Gleaner Limited, Milnfield, Ashgrove Road, Elgin, IV30 1UU.

#### 1.0 Description of premises

1.1 The premises are situated in a rural area on the main A87 road to Kyle of Lochalsh, near the village of Invergarry, and comprise a general convenience store forming part of a petrol filling station.

#### 2.0 Summary of variation application

##### 2.1 Variation sought

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

1. Increase off sales display capacity from 0.6m<sup>2</sup> to 3.52m<sup>2</sup>.
2. Amend layout plan to reflect increase in alcohol display capacity.

#### 3.0 Background

- 3.1 On 18 May 2026 the Licensing Board received an application for a major variation of a premises licence from Gleaner Limited per Burness Paull LLP, 50 Lothian Road, Edinburgh, EH3 9WJ.
- 3.2 The application was publicised during the period 19 May 2026 until 9 June 2026 and confirmation that the site notice was displayed is awaited.
- 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](http://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 comprise a general convenience store which forms part of a petrol station.
- (ii) The premises are relied on to a significant extent as the principal source of fuel or groceries by persons resident in the locality.
- (iii) The application is within Highland Licensing Board policy.
- (iv) The application aligns with the licensing objectives.
- (v) No objections or representations have been received in connection with the application.
- (vi) The increase applied for in respect of off sales space is still well within Highland Licensing Board policy.
- (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**

There are no existing local conditions and it is not considered necessary to attach any.

### **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/RSL/1449

Date: 10 June 2026

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