

HIGHLAND LICENSING BOARD

Minute of the meeting of the **Highland Licensing Board** held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Tuesday, 23 June 2026 at 9.30am.

Present:

Dr C Birt, Mr J Grafton, Mrs J Hendry (Convener), Mr S Kennedy, Ms E Knox, Ms K MacLean, Mr D Millar, Mr K Rosie.

In Attendance:

Mr I Meredith, Solicitor, Depute Clerk to the Board
Ms M Duffy, Solicitor
Mr G Somers, Solicitor
Mr G Cameron, Licensing Standards Officer
Mr S Campbell, Licensing Standards Officer
Mr E Mackinnon, Licensing Standards Officer
Mrs G MacPherson, Senior Committee Officer
Mr C Ross, Committee Officer

Also In Attendance:

Sergeant Paterson, Police Scotland

Item 8.1: Laura Dundas, Applicant
Item 9.1: Andrew Macleod, Applicant's Agent
Item 9.2: Rebecca Fraser, Applicant's Agent
Item 9.3: Chris Grunert, Applicant's Agent, Owen Ellender, Project Manager, Whitbread Group
Items 9.4 and 9.5: Michael Stewart, Applicant's Agent
Item 9.7: Amy Smith, Applicant's Representative
Item 10.1: Gary Anderson, Applicant
Item 11.1: Andrew Koger, Licence Holder
Item 11.2: Veda Danush Motupalli, Licence Holder

Briefing on Protocol for Webcasting of Meetings

The Convener advised the Board that the meeting would be filmed and broadcast over the internet on the Highland Council website and would be archived and available for viewing for 12 months.

1. Apologies for Absence Leisgeulan

Apologies for absence were intimated on behalf of Mr J Bruce and Mr D Macpherson.

2. Declarations of Interest Foillseachaidhean Com-pàirt.

The Committee **NOTED** the following Declaration of Interest:-

Item 9.2: Mr J Grafton

The Committee also **NOTED** the following Transparency Statements:-

Item 8.1: Highland Licensing Board Members (Joint Statement)

Item 9.4: Mr J Grafton

Item 9.5: Mr J Grafton

3. Confirmation of minutes
Dearbhadh a' gheàrr-chunntais

There was submitted for confirmation as a correct record the minute of the meeting of the Highland Licensing Board held on 12 May 2026.

The Minutes were held as read and **APPROVED**.

4. Licensing (Scotland) Act 2005
Licences granted under delegated powers
Achd Ceadachd (Alba) 2005
Ceadachdan a bhuilicheadh fo ùghdarras air a thiomnadh

There had been circulated Report No HLB/55/26 detailing Licences which had been granted under delegated powers by the Clerk to the Board during the period 30 April 2026 to 10 June 2026.

The Board **NOTED** the Report.

5. Licensing (Scotland) Act 2005
Occasional licences and extended hours granted under delegated powers
Achd Ceadachd (Alba) 2005
Ceadachdan Corra-uair agus uairean sìnte a bhuilicheadh fo ùghdarras air a thiomnadh

There had been circulated Report No HLB/56/26 detailing Occasional Licences and Extended Hours Applications which had been granted under delegated powers by the Clerk to the Board during the period 30 April 2026 to 10 June 2026.

The Board **NOTED** the Report.

6. The Highland Licensing Board Annual Functions Report 2025-26
Aithisg Dhreuchdan Bhliadhnail Bòrd Ceadachd na Gàidhealtachd 2025-26

There had been circulated Report No HLB/57/26 by the Clerk.

The Functions Report was typically presented alongside a Financial Report, however, the Board was advised that the Financial Report could not be prepared in time for this meeting.

During discussion, the Convener was keen for the Board to meet with the Licensing Forum this year. It was understood that the Forum had not met during this financial period, however, steps were being taken to convene a

meeting soon, after which a joint meeting between the Board and the Forum could be arranged.

The Board **AGREED** to **APPROVE** the Draft Functions Report 2025-26 for publication in accordance with the Licensing (Scotland) Act 2005.

7. Licensing (Scotland) Act 2005
Applications for new premises licences
Achd na Ceadachd (Alba) 2005
Larrtas airson cheadachdan thogalaichean ura

7.1 Ref: HC/INBS/722

Applicant: Highland Free Spirits

Premises: MV Eilidh Catriona, Caledonian Canal, Dochgarroch Lock, Inverness IV3 8JG

Type: On sales

There had been circulated Report No HLB/58/26 by the Clerk.

The Board **AGREED** to **GRANT** the application for a new premises licence subject to the mandatory conditions and local condition (e).

8. Licensing (Scotland) Act 2005
Applications for provisional premises licences
Achd Ceadachd (Alba) 2005
Iarrtas airson ceadachdan thogalaichean le cumha

8.1 Ref: HC/CSR/2177

Applicant: Laura Dundas

Premises: Shore Hotel, 11 Main Street, Balintore

Type: On and off sales

Transparency Statement: The Convener made a Transparency Statement on behalf of the Highland Licensing Board Members in respect of this item as the applicant was a fellow Elected Member. However, having taken advice from the Clerk to the Board, this was not a declarable interest and the Board was permitted to proceed.

There had been circulated Report No HLB/59/26 by the Clerk.

Speaking in support of the application, the applicant stated that the community had shown great support for the premises.

The Board **AGREED** to **GRANT** the application for a provisional premises licence subject to the mandatory conditions and local conditions (k) and (m).

9. Licensing (Scotland) Act 2005
Applications for variation (major) to premises licences
Achd Ceadachd (Alba) 2005
Iarrtasan airson Caochladh (Mòr) a thaobh ceadachdan thogalaichean

9.1 Ref: HC/CSR/2174

Applicant: Anderson & Moore Leisure Limited

Premises: Blue Door Burgers and Shakes, Riverside Road, Thurso

Type: On Sales

Variation:

1. add off sales with the hours of Monday to Sunday 1000 hrs to 2200 hrs;
2. add to other services provided – “Customers may order food and drinks, including alcoholic drinks for takeaway from the premises. The premises may offer home delivery of food and drinks, including alcoholic drinks.”

There had been circulated Report No HLB/60/26 by the Clerk.

The agent for the applicant spoke in support of the application.

Since the licence was granted on 9 April 2026, the business had been trading well and the applicant sought to introduce a takeaway and delivery service in response to customer demand.

The Board **AGREED** to **GRANT** the application for a major variation to the premises licence subject to the mandatory conditions and existing local condition.

9.2 Ref: HC/RSL/1971

Applicant: Black Sheep Management Services Limited per Twindeer Law, Lochaber Rural Complex, Torlundy, Fort William

Premises: The Pizzeria (formerly Jiggy Burger), 37 High Street, Fort William, PH33 6DH

Type: On and off-sales

Variation:

1. Increase restaurant capacity from 56 to 60 persons.
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.

Declaration of Interest: Mr J Grafton declared interest in this item as he had had many engagements with the applicant and, in accordance with paragraph 5.6 of the revised Code of Conduct, he left the meeting for this item.

There had been circulated Report No HLB/61/26 by the Clerk.

The agent for the applicant spoke in support of the application.

The premises, which had been previously located at 17-19 High Street, Fort William, had been trading well. The application sought to include outdoor seating which would align with several other premises nearby.

The Board **AGREED** to **GRANT** the application for a major variation to the premises licence subject to the mandatory conditions, existing local conditions and additional local conditions (m), (n)(i), (o),(p), and (q).

9.3 Ref: HC/RSL/0730

Applicant: Whitbread Group plc, per John Gaunt & Partners, Omega Court, 372 Cemetery Road, Sheffield, S11 8FT

Premises: Fort William Premier Inn, Airds Way, An Aird, Fort William, PH33 6AN

Type: On and off sales

Variation:

Operating plan:

1. The existing Loch lall Brewers Fayre building is to be demolished and replaced with a new two-storey building which will be linked to the existing hotel accommodation block. The revised layout is detailed in the updated licensing plans supporting the major variation application.
2. Amendment to commencement time for on-sales on Sundays: 11:00 hrs (previously 12:00 hrs).
3. Amendment to commencement time for off-sales on Sundays: 10:00 hrs (previously 12:00 hrs).
4. Internal capacity within the bar/restaurant will be reduced from 213 to 130 persons.
5. Updated premises capacity as follows:
 - On-sales: 130 persons (previously 213 persons)
 - Off-sales: 1m² (previously 5.5 m²)
 - Bedrooms: 363 (previously 309)
6. Amendment to narrative at Q.5 of operating plan to permit opening of the food and beverage area from 06:30 hrs.

Layout plan:

Revised layout plan incorporating the following alterations:-

1. Reduction in the operational area within the restaurant/pub.
2. Creation of a two storey annex with an additional 18 bedrooms and a new food and beverage area.
3. New site plan reflecting new annex and path linking food and beverage area to annex.

Premises description:

Update description of premises to reflect above amendments.

There had been circulated Report No HLB/62/26 by the Clerk.

The applicant's agent spoke in support of the application.

As part of a wider restructure by Whitbread Group, this premises was undergoing a major redevelopment and details were shared in this regard.

It was highlighted that the food and beverage area would be open to residents and members of the public and the improvements were welcomed.

The Board **AGREED** to **GRANT** the application for major variation to the premises licence subject to the mandatory conditions existing local conditions..

9.4 Ref: HC/RSL/1448

Applicant: Gleaner Limited per Burness Paull LLP, 50 Lothian Road, Edinburgh, EH3 9WJ

Premises: Glengarry Filling Station, Invergarry, PH35 4HL

Type: Off-sales

Variation:

1. Increase in off-sales capacity from 0.6m² to 3.52m²
2. Amended layout plan to reflect increase in alcohol display capacity.

Transparency Statement: Mr J Grafton made a Transparency Statement in respect of this item as he had been an employee of Gleaner Oils in the past, and had worked at this premises. However, having applied the objective test, he did not consider that he had an interest to declare.

There had been circulated Report No HLB/63/26 by the Clerk.

Clarification was sought, and provided, in terms of the exact location of the filling station and it was confirmed by the Licensing Standards Officer that the certification would be updated.

The Board **AGREED** to **GRANT** the application for major variation to the premises licence subject to the mandatory conditions and existing local conditions..

9.5 Ref: HC/RSL/1449

Applicant: Gleaner Limited per Burness Paull LLP, 50 Lothian Road, Edinburgh, EH3 9WJ

Premises: Onich Filling Station, Onich, By Fort William, PH33 6RZ

Type: Off-sales

Variation:

1. Increase in off-sales capacity from 0.63m² to 2.69m²
2. Amended layout plan to reflect increase in alcohol display capacity.

Transparency Statement: Mr J Grafton made a Transparency Statement in respect of this item as he had been an employee of Gleaner Oils in the past, and had worked at this premises. However, having applied the objective test, he did not consider that he had an interest to declare.

There had been circulated Report No HLB/64/26 by the Clerk.

The Board **AGREED** to **GRANT** the application for major variation to the premises licence subject to the mandatory conditions only.

9.6 Ref: HC/RSL/1978

Applicant: Rural Escapes (Highland) Ltd, 6a Drynoch, Crossal, Isle of Skye, IV47 8SP

Premises: Monkstadt House, Linicro, Portree, Isle of Skye, IV51 9YN

Type: On sales and off sales

Variation:

1. Amend premises name from "Monkstadt House" to "Monkstadt House and Steadings";
2. Amend premises description;
3. Amend on sales hours to Monday to Sunday – 1100 hours to 0100 hours;
4. Amend off sales hours to Monday to Sunday 1000 hours to 2200 hours;
5. Add live performances and televised sport to activities;
6. Increase on sales capacity from 40 to 51;
7. Remove reference to "may begin before 1200 hours" in section (please provide further details below) to "may take place outwith core hours";
8. Layout plans – addition of rooms and cottages to licensed footprint.

There had been circulated Report No HLB/65/26 by the Clerk.

The Clerk clarified that representations from Scottish Fire and Rescue Service and Building Standards were being dealt with separately, and the applicant was working towards compliance before occupancy.

The Board **AGREED** to **GRANT** the application for major variation to the premises licence subject to the mandatory conditions and existing local condition.

9.7 Ref: HC/RSL/1449

Applicant: The Highland Council, Glenurquhart Road, Inverness IV3 5NX

Premises: Storr Centre, Portree, Isle of Skye, IV3 5NX

Type: On sales and off sales

Variation:

1. Amend premises description;
2. Amend on sales capacity to 40;
3. Any other activities – 5(f) – the multi purpose room and external drinking area may be used by third parties for the purposes of on sales if required;
4. Layout plan:-
 - (i) The existing multi purpose area (on sales) is being changed to a staff welfare area, existing external drinking area is also be moved;
 - (ii) New multipurpose area (on sales) and external drinking area is delineated in yellow on the accompanying updated layout plan.

There had been circulated Report No HLB/66/26 by the Clerk.

The applicant's representative spoke in support of the application.

The layout of the premises would change following a recent extension. There would be an increase to the capacity but no changes to the off sales area.

The Board **AGREED** to **GRANT** the application for a major variation to the premises licence subject to the mandatory conditions and the existing special condition.

**10. Application for personal licence
Iarrtas airson ceadachd phearsanta**

10.1 Applicant: Gary Anderson

There had been circulated Report No HLB/67/26 by the Clerk.

The Board heard from the Licensing Sergeant who advised, in terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005, that the applicant had been convicted of a relevant offence. Information was provided in relation to the offence and the Police made no recommendation.

The applicant spoke in support of his application and provided context in relation to the offence. He had since started a new job and had recently been promoted.

During discussion, it was said that the applicant had made an error in judgement and this was over 4 years ago. As his employer saw fit to promote him to Store Manager it was felt that this should be supported.

The Board **AGREED** to **GRANT** the application for a personal licence.

**11. Licensing (Scotland) Act 2005 Section 84 – conduct inconsistent with the
licensing objectives
Achd Cheadachd (Alba) 2005, Earrann 84 – giùlan neo-chunbhalach ris na
h-amasan ceadachd**

11.1 Personal Licence Holder: Andrew Koger

There had been circulated Report No HLB/68/26 by the Clerk.

The Board heard from the Licensing Sergeant who advised, in terms of Section 84(a) of the Licensing (Scotland) Act 2005, that the licence holder had acted in a manner inconsistent with the licensing objectives, namely preventing crime and disorder and securing public safety. Information was provided in relation to the offence. The Board was asked to consider all options available under Section 84(7) and (7)(a) of the Act.

The licence holder apologised for not attending the previous meeting and thanked the Board for allowing him to attend this meeting. He provided the

background to the offence, stating he had made a poor decision and he respectfully requested a second chance.

Following a brief discussion, the Board **AGREED** that the licence holder had acted in a manner inconsistent with the licensing objectives, namely preventing crime and disorder and securing public safety and agreed to **ENDORSE** his personal licence.

11.2 Personal Licence Holder: Veda Danush Motupalli

There had been circulated Report No HLB/69/26 by the Clerk.

The Board heard from the Licensing Sergeant who advised, in terms of Section 84(a) of the Licensing (Scotland) Act 2005, that the licence holder had acted in a manner inconsistent with the licensing objectives, namely preventing crime and disorder and securing public safety. Information was provided in relation to offences which he had not declared. The Board was asked to consider all options available to them under Section 84(7) and (7)(a) of the Act.

Further information was sought in relation to the offence but the Licensing Sergeant was legally unable to provide any further details.

During his statement, the licence holder apologised for not disclosing the convictions. In response to a question regarding why he did not declare his convictions, the licence holder stated that at the time, he did not realise he had to as he was not a designated premises manager, but he now better understood this obligation.

During her summary, the Licensing Sergeant asked the Board to consider all options open to them under Section 84(7) and (7)(a) of the Act as the Police believed that the licence holder had acted in a manner inconsistent with the licensing objectives. He had been convicted of 2 relevant offences which were not spent and he had failed to declare them.

During his summary, the licence holder accepted he had acted irresponsibly but wished to add that the offences were not related to the sale of alcohol, that he had learned from his mistakes and there would be no repetition.

During discussion, the following points were raised:-

- the convictions suggested a disregard for the law, rules, and the licensing objectives;
- the Clerk clarified that the first offence was committed prior to Mr Motupalli becoming a licence holder, however, he was convicted a few weeks after he received his licence and he should have notified the Board. Members were reminded to keep in mind whether the licence holder had acted in a manner inconsistent with the licensing objectives linked to the sale of alcohol;
- it was asked how the licence holder might uphold law and order in a licensing situation; and

- it was also asked how the Board might have considered the Police recommendation had this been an application for a licence rather than a review.

Thereafter, Dr C Birt, seconded by Mr S Kennedy, **MOVED** that the licence holder had acted in a manner inconsistent with the licensing objectives and that his licence should be suspended for a period of 6 months.

As an **AMENDMENT**, Mr J Grafton, seconded by Ms E Knox, moved that the licence holder had acted in a manner inconsistent with the licensing objectives and that his licence should be endorsed.

On a vote being taken, the **MOTION** received 3 votes and the **AMENDMENT** received 5 votes, with 0 abstentions. The **AMENDMENT** was therefore **CARRIED**, the votes having been cast as follows:-

For the Motion:

Dr C Birt, Mrs J Hendry, Mr S Kennedy

For the Amendment:

Mr J Grafton, Ms E Knox, Ms K MacLean, Mr D Millar, Mr K Rosie

Abstentions:

There were no abstentions

Decision

The Board **AGREED** that the licence holder had acted in a manner inconsistent with the licencing objectives, namely preventing crime and disorder and securing public safety and agreed to **ENDORSE** his personal licence.

The meeting closed at 10.55am.