

The Highland Licensing Board

Meeting – 4 August 2026

Agenda Item	8.2
Report No	HLB/76/26

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

Rokeby Manor, Invergarry, PH35 4HG

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.

1.0 Description of premises

1.1 Rokeby Manor is an early Victorian house that stands in its own grounds on the western outskirts of Invergarry. It is set back approximately 35 metres from the A82 and has a private guest car park to the front of the building.

The premises are open for meals to non-residents, however, the sale of alcohol to non-residents will only be made when ancillary to a meal.

2.0 Summary of variation application

2.1 Variation sought

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

(1) Revision to operating plan to incorporate the following alterations:

- Addition of the Rokeby Log Cabin to form part of the licensed premises.
- Creation of an additional outdoor drinking area.
- Inclusion of an outbuilding comprising of spa/gym facilities for residents only.

3.0 Background

- 3.1 On 13 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, Torlundy, Fort William.
- 3.2 The application was publicised during the period 18 May 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 Observation/representation

Further to the publication and consultation process, the following observation and representation have been received in respect of the application:-

1. Observation made by the Council's Building Standards Authority:

- We have an expired application 18/01830/NDOM5 that the works appear to have been completed, thus the applicant is required to address the outstanding items for alterations and extension to the Hotel, as it is now considered unauthorised.
- We are unable to locate the construction / conversion details of the Gym / Spa facilities, so the date of build and full details should be provided to ensure this is not unauthorised works, or a suitable Building Warrant application needs to be made for any warrantable works completed.
- We have no record of the original build or any change of use for 'The Villa' or 'The Log Cabin' on file so full details of the applicable applications or any dates and scope of works are required to ensure this is not considered unauthorised, or a suitable Building Warrant application needs to be made for any warrantable works completed.

Building Standards have, however, indicated that they will pursue the above matters through their own enforcement procedures. The Board has made the applicant's agent aware of the issues raised by Building Standards.

2. Representation received on 7 June 2026 from Glengarry Community Council, attached as **Appendix 1** to this report.

The Community Council has been advised that the matters raised in its representation relate to planning issues and the Licensing Board cannot

duplicate consideration of matters that are already addressed through other legislation or regulatory regimes.

The applicant's agent has nevertheless responded to the concerns raised by Glengarry Community Council, and this response is attached as **Appendix 2** to this report.

At the time of writing, the Licensing Board was awaiting confirmation from Glengarry Community Council as to whether it wished to proceed with its representation in respect of this application in light of the above advice.

- 3.6 The applicant and the Glengarry Community Council have been invited to attend the hearing. Both have been advised of the hearings procedure which will be followed at the meeting and which may also be viewed via the following link:

http://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 is as described at paragraph 1.1 above and offers the sale of alcohol for on sales only, restricted to as “ancillary to a meal for non-residents”.
- (ii) The application complies with Highland Licensing Board policy.
- (iii) The application is consistent with the licensing objectives.
- (iv) No public objections have been received in respect of this application; however, a representation has been submitted by Glengarry Community Council relating to planning matters but includes concerns regarding potential noise disturbance.

This matter is already addressed by the existing local conditions attached to the premises licence. Specifically local conditions M and N require the cessation of outdoor drinking by 22:00 hours and prohibit the playing of live or recorded music in any outdoor area.

- (v) The representation from Building Standards is duly noted, and this matter will be addressed directly by Building Standards with the applicant/agent.
- (vi) This type of application is now quite common practice and aligns with the operating models that many businesses now wish to operate.
- (vii) No further local conditions, other than the ones already applied to the current premises licence, are considered necessary in respect of this application.

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 no additional local conditions are considered necessary.

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.

Date: 22 July 2026
Author: Julie Traynor
Reference: HC/RSL/0129

Appendices:

- Appendix 1: Letter of representation from Glengarry Community Council dated 7 June 2026;
- Appendix 2: Email response from Agent, Twindeer Law representing applicant dated 22 July 2026.



REPRESENTATIONS OR OBJECTIONS IN RELATION TO A PREMISES LICENCE APPLICATION UNDER THE LICENSING (SCOTLAND) ACT 2005

Please read the Board's Guidance Notes on How to Object or make Representations in relation to a Premises Licence Application before completing this form. This form when completed should be returned to the nearest office of the Licensing Board using the contact details in the guidance notes or emailed to licensing@highland.gov.uk. Remember, if an objection is rejected by the Board as frivolous or vexatious, the Board may seek to recover expenses from the objector or person making representations

1. Full Name and Address of person making objection/representation:

Glengarry Community Council, Glengarry Community Hall, Invergarry, PH35 4HG	
Telephone Number:	
Email Address:	

2. Address of Premises in respect of which objection / representation is made:

ROKEBY MANOR, INVERGARRY, PH35 4HG

Details of any OBJECTION: (complete only if you consider one of the ground for refusal apply)

--

State ground of objection (refer to ground of objection by number, see guidance notes, and give details): (Continue on separate sheet if necessary)

1.	Excluded Premises	
2.	Off-Sales Hours/24 hour drinking	
3.	Licensing Objectives	
4.	Activities/Premises/Customers	
5.	Over Provision	

3. Details of any REPRESENTATION: (complete only if you wish to make a representation in respect of the application)

State details of any representation (refer to representation by number, see guidance notes, and give details): (Continue on separate sheet if necessary)

1.	in support of application	Please see below.
2.	seeking an amendment to the operating plan, or	
3.	seeking to add additional conditions to the licence	

Signature: George Cross, Glengarry Community Council. (By email)
Date 7th June 2026.

**Glengarry Community Council Representation for:
Notification of Major Variation Application: Rokeby Manor, Invergarry, PH35 4HG**

Glengarry Community Council (GCC) considered the 'Major Variation Application: Rokeby Manor, Invergarry, PH35 4HG' at its meeting of 1st June and makes the following representations:

- We note a planning application (ref: 26/00695/CLP) was posted but has been withdrawn. Has this 'certificate of lawfulness' (for short term let) been dealt with?
- We note that a planning application exists (ref: 25/04944/FUL) that requests a 'change of use' for the private house that was called 'The Villa' (that seems to be called the 'log cabin' in this application) and, at the time of writing, is not yet decided.
- GCC requested conditions against that planning application to deal with possible light & noise disturbance and access limitations. For consistency, GCC requests similar conditions be placed upon this licence, should it be granted.
- GCC is not opposed to the change in the licence, when the above matters are satisfactorily resolved.

From: [Rebecca Fraser](#)
To: [REDACTED] [\(Legal \(Licensing\)\)](#)
Cc: [Twin](#)
Subject: RE: Application for Major Variation : Rokeby Manor, Invergarry, PH35 4HG
Date: 22 July 2026 15:40:53
Attachments: [image003.png](#)
[image008.png](#)
[DECISION NOTICE-3955158 \(63057\).pdf](#)
[REDACTED]

CAUTION: This email was sent from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

[REDACTED]

I have attached a copy of the representations you provided us with. In order of the bullet points noted thereon, I would respond as follows:-

- A planning application was submitted by myself for change of use consent (reference 26/00695/CLP) but I was not aware that the clients planning consultant, [REDACTED], had also submitted a change of use consent application. On the basis that his application was submitted first, I withdrew my application and [REDACTED] was left to continue through the system. My application was for change of use consent only whereas [REDACTED] application covered a number of other matters relating to the renovations that were to be made to Rokeby Log Cabin. I understand that this application has now been decided and I have attached a copy of the decision notice for reference.
- In relation to application 25/0499/FUL I note from the planning portal that this application was decided on 13th July 2026. I can confirm that when my clients purchased the property it was known as "The Villa" but now that the property has been taken in as additional accommodation for Rokeby Manor it is now to be known as Rokeby Log Cabin.
- I am unsure what these exact conditions would be but if the council do feel that any special planning conditions would be required in respect of potential light and noise disturbances as long as this is justified, I cannot see this being any problem. However, if it helps GCC at all, I would like to point out that this property is not intended to be a "party house" – it is intended to be let as ancillary accommodation to the primary hotel only and we fully expect that it would attract a similar clientele as that of the hotel.

Please do let me know if anything further is required in order to allow you to respond to GCC and I would be happy to discuss any point as necessary.

Regards,
Rebecca

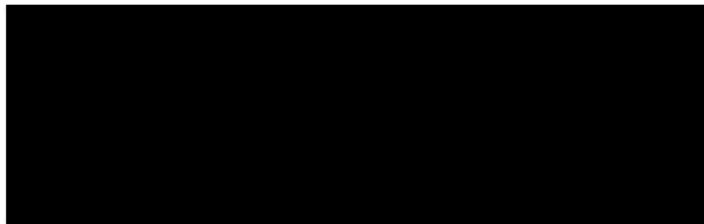


REBECCA L. FRASER

Twin Deer Law LLP

Lochaber Rural Complex | Torlundy | Fort William | PH33 6SQ

[Location Map](#) | [what3words](#)



This email is intended for the named addressee only. Its contents are private and confidential and should not be read, copied, or disclosed to or by any other person unless the content expressly permits this. If you have received this transmission in error, please notify the sender immediately by e-mail, telephone or fax, delete the contents of this transmission and destroy any copies made. | No part of this e-mail or its contents shall form part of any contract or unilateral obligation unless expressly stated to the contrary. | This email, together with any attachments hereto, is written entirely without prejudice to our client's whole rights and pleas and is not to be founded upon, whether in existing litigation or any action to follow hereon, unless at our client's instance or with their express written permission. | Our privacy notice is available on our [website](#) – please read this to find out about your privacy rights, how we look after your personal data and how the law protects you. Please be wary of cyber-fraud. If you receive an email that you suspect may not be from us, or you aren't sure, please do not open any attachments or click on any links within it. Instead, contact us on a known/saved mobile number and we can confirm. Please always contact us by telephone to confirm our bank details before sending any funds – we cannot be held responsible for funds being sent to an incorrect account. | Twin Deer Law is a trading name of Twin Deer Law LLP, a Limited Liability Partnership registered in Scotland (SO307959) and having its Registered Office at Twin Deer Law, Lochaber Rural Complex, Torlundy, Fort William, PH33 6SQ. A full list of members is available for inspection on request.



PLANNING PERMISSION

Reference No: 25/04944/FUL

To:
Mars Projects Ltd
Tom An Oir
1 Tom-an-oir
Invergarry
PH35 4HR

Per:
Farningham Planning Ltd
Per: Alan Farningham
Daldownie
Borelick
Trochry
Dunkeld
PH8 0BX

Town and Country Planning (Scotland) Act 1997 (As Amended)
Planning Etc. (Scotland) Act 2006

DECISION NOTICE

Use of house as short term holiday let, erection of gym/sauna and formation of new access Rokeby Manor Invergarry PH35 4HG

The Highland Council in exercise of its powers under the above Acts **grants planning permission** for the above development in accordance with the particulars given in the application and the following documents:

Document Type	Document No.	Version No.	Date Received
Proposed Elevation Plan	RKH-LC-ELV-01		24.12.2025
Floor/Elevation Plan	RKH-LC-SHED-01		24.12.2025
Location Plan	RKH-LC-LP-01	REV 0	20.01.2026
Tree Protection Plan	000001	REV A	23.06.2026
Site Layout Plan	RKH-LC-SP-01	REV R1	08.07.2026

CONDITIONS AND REASONS

This permission is granted subject to the following conditions and reasons:

1. The development to which this planning permission relates must commence within **THREE YEARS** of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. No development, site excavation or groundwork shall commence until all retained trees have been protected against construction damage using protective barriers located beyond the Root Protection Area (in accordance with BS5837:2012 Trees in Relation to Design, Demolition & Construction, or any superseding guidance prevailing at that time). These barriers shall remain in place throughout the construction period and must not be moved or removed during the construction period without the prior written approval of the Planning Authority.

Dated: 13th July 2026

Bob Robertson

.....
Area Planning Manager

PEFULZ Page 1 of 6

Reason: To ensure the protection and retention of existing trees during construction works in the interests of visual amenity, biodiversity and the long-term landscape character of the site, in accordance with NPF4 Policy 6 (Forestry, Woodland and Trees) and Policies 51 and 52 of the Highland-wide Local Development Plan

3. All planting comprised within the approved Tree Planting Plan shall be implemented during the first planting season following completion of the development (or occupation of the short-term let), with replacement of any failures within 5 years.

Reason: To ensure the successful establishment of replacement and additional tree planting in the interests of visual amenity, biodiversity enhancement and the long-term landscape quality of the site, in accordance with NPF4 Policy 6 (Forestry, Woodland and Trees) and Policies 51 and 52 of the Highland-wide Local Development Plan.

4. No external lighting shall be installed unless details of its location have first been submitted to and approved in writing by the Planning Authority. Thereafter, the lighting shall be installed in accordance with the approved details.

Reason: To safeguard the amenity of neighbouring properties and the character of the area.

Variations

During the processing of the application the following variations were made to the proposal:

- the proposed parking layout was amended to protect existing trees and improve the relationship with the neighbouring property, resulting in the relocation and reduction of additional parking provision

Section 75 Obligation

None.

IMPORTANT INFORMATIVES

Please read the following informatives and, where necessary, act upon the requirements specified:

REASON FOR DECISION

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

FOOTNOTE TO APPLICANT

Initiation and Completion of Development

The Development Management procedures require that a Notice of Initiation of Development and Notice of Completion are submitted to the Planning Authority before the commencement of Development, and at the completion of the development.

1. Notice of Initiation of Development

A person who intends to start development that has been granted planning permission (including planning permission in principle) must, once they have decided the date they will start work, inform the Planning Authority of that date as soon as is practicable and before

Dated: 13th July 2026

Bob Robertson

.....
Area Planning Manager

starting work. There is no minimum period of notice.

When permission is granted for the development, failure by the applicant to notify the Planning Authority of the submission of the notice would be a breach of planning control under section 123(1) of the Act.

2. Notice of Completion of Development

A person who completes development for which planning permission has been given must, as soon as practicable after doing so, give notice of completion to the Planning Authority.

When permission is granted for the development, failure by the applicant to notify the Planning Authority of the submission of the notice would be a breach of planning control under section 123(1) of the Act.

Phased Development

If development is to be carried out in phases, then any such permission granted is to be granted such that as soon as practicable after the phase is completed the person carrying out the development is to give notice of that completion to the Planning Authority.

The Notices of Initiation and Completion can be submitted using the online portal eplanning.scot. Copies of the Notices referred to are attached to this decision notice for your convenience.

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. The granting of planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0800 389 0379 or email developmentoperations@scottishwater.co.uk

Septic Tanks & Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Mud & Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Dated: 13th July 2026

Bob Robertson

.....
Area Planning Manager

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species - Halting of Work

You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from NatureScot:

<https://www.nature.scot/professional-advice/planning-and-development/planning-and-development-advice/planning-and-development-protected-species>

Short-Term Let Licence

Under The Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022, it is a legal requirement for all short-term let operators to obtain a Short Term Let Licence. Short term let properties must comply with the licensing scheme and satisfy the licence conditions adopted by the Council for such properties. Further information on short term lets can be found on the Highland Council website: <https://www.highland.gov.uk/short-term-lets>

Building Regulations

Please note that Building Regulations and/or a Building Warrant may be applicable to some or all of the works described in this decision notice. You must check with the Council's Building Standards service prior to work commencing to establish what compliance or approval is necessary. If a warrant is required, you must not commence work until one has been applied for and issued. For more information, please contact Building Standards at eBuildingStandards@highland.gov.uk or on **01349 886608**.

Land Ownership/Planning Permission

For the avoidance of doubt, the existence of planning permission does not affect or supersede an individual's ownership or other legal rights. Please be advised that this permission does not entitle you to build on, under or over ground outwith your ownership or to enter private ground to demolish, construct or maintain your property.

Accordance with Approved Plans & Conditions

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action.

Dated: 13th July 2026

Bob Robertson

.....
Area Planning Manager

Utility checking on site

The <https://www.linsearchbeforeudig.co.uk/> website is a self-service website to allow you to check your proposal and site for utility assets before the commencement of any development on site.

Dated: 13th July 2026

Bob Robertson
.....
Area Planning Manager

RIGHT OF APPEAL, REVIEW ETC

1. If the applicant is aggrieved by the decision of the planning authority: to refuse planning permission for the proposed development; to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission; to grant planning permission or any approval, consent or agreement subject to conditions; the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) **within three months** beginning with the date of this notice.

A Notice of Review Form can be downloaded at <https://www.highland.gov.uk/downloads/file/2289/notice-of-review-form> and any supporting documents can be submitted by email to Review.Body@highland.gov.uk or sent by post addressed to:

Highland Council Review Body
eProcessing Centre
Council Headquarters
Glenurquhart Road
Inverness
IV3 5NX

Notices of Review can also be lodged online via the ePlanning Portal at: <https://www.eplanning.scot>

Please quote the relevant application reference number with any submission.

Please note that a completed Notice of Review Form (and any supporting documents) **MUST** be received by the Review Body **within three months** beginning with the date of this decision notice otherwise the decision cannot be reviewed.

2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).

Dated: 13th July 2026

Bob Robertson
.....
Area Planning Manager