

The Highland Licensing Board

Meeting – 4 August 2026

Agenda Item	8.3
Report No	HLB/77/26

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

Isle of Raasay Distillery (Shop, Visitor Centre and Accommodation), Isle of Raasay, Kyle, IV40 8BP

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by R & B Distillers Limited, 23 Manor Place, Edinburgh, EH3 7DX.

1.0 Description of premises

- 1.1 The premises consist of the visitors centre, part of the new Isle of Raasay Distillery, in which is located a retail area, a public area consisting of tasting rooms, reception and other ancillary rooms for tours and visits and rooms for residents and their guests and a residents lounge; there is also a kitchen and ancillary offices.

2.0 Summary of variation application

2.1 Variation sought

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

1. Section 5(f) – any other activities – additional wording as follows:-

Both internal and external areas may be used for market purposes whereby third parties exhibit and sell food, drink and other products;

The external areas may be used for a variety of recreational purposes including displays and demonstrations of all natures, of which pop-up bars and temporary structures may be utilised;

The external areas may be used infrequently for festivals and events, on occasions an event may take place in the evening;

2. Substitution of premises manager.

3.0 Background

- 3.1 On 19 June 2026 the Licensing Board received an application for a major variation of a premises licence from R & B Distillers Limited
- 3.2 The application was publicised during the period 22 June 2026 until 13 July 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 have been received.
- 3.6 A representation was received from Environmental Health with regards to noise disturbance/noise nuisance.

This representation has been addressed by the Licensing Standards Officer in his report at item 5 of this report.

- 3.7 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 consist of the visitors centre, part of the new Isle of Raasay Distillery, in which is located a retail area, a public area consisting of tasting rooms, reception and other ancillary rooms for tours and visits, rooms for residents and their guests and a residents lounge; there is also a kitchen and ancillary offices.
- (ii) The application is within Highland Licensing Board policy.
- (iii) The application is consistent with the licensing objectives.
- (iv) The application is generally just an amendment to the premises operating plan to enable them to host the annual Whisky Festival Trail where other distilleries and local producers may showcase their products. Member distilleries host this festival in annual rotation and the Board has granted several similar major variations for other distilleries over the last 2/3 years.
- (v) No objections have been received in respect of the application.
- (vi) Environmental Health has made a representation in respect of the application which the LSO has addressed in the recommended special conditions which is referred to at the end of this report.
- (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 no additional local conditions are considered necessary.

7.3 Special conditions

As well as the existing special conditions, the Board may wish to consider attaching the following additional special conditions:

- (1) The licence holder shall ensure that any amplified/recorded music is controlled to ensure that there is no audible nuisance to neighbouring residential properties.
- (2) External lighting associated with the premises shall be positioned, directed and operated so as to prevent light spill or glare that causes nuisance to neighbouring residential properties.
- (3) Music in the external areas to terminate at 2100 hours.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the additional proposed special conditions detailed at para. 7.3 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/1835
Date: 20 July 2026
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