

The Highland Licensing Board

Meeting – 15 September 2026

Agenda Item	11.1
Report No	HLB/88/26

Application for personal licence – Jack Howell

Report by the Clerk to the Licensing Board

Summary

This report invites the Board to hold a hearing to consider and determine an application for a personal licence under Section 72 of the Licensing (Scotland) Act 2005 (the Act).

1. Background

1.1 A personal licence is required to allow any individual to supervise or authorise the sale of alcohol.

1.2 On 12 August 2026, an application for a personal licence was received from Jack Howell.

As part of the application process, the application was circulated to Police Scotland and the Licensing Standards Officer on 12 August 2026.

1.3 Under section 73 of the Act, Police Scotland have timeously given notice confirming that the applicant has convictions for relevant or foreign offences. A copy of the notice received from Police Scotland dated 27 August 2026 is attached as **Appendix 1**.

1.4 Police Scotland have included in their notice a recommendation under section 73(4) that the personal licence application be refused.

They have included additional information under section 73(5) which they consider may be relevant to consideration by the Board of the application.

1.5 Under section 73A of the Act, the Licensing Standards Officer (LSO) has also been given notice of the application and has offered no further information which he considers relevant to the consideration by the Board of the application.

1.6 The applicant is entitled to be heard and has been invited to attend the hearing along with Police Scotland.

2. Legal position

- 2.1 Section 74(6) of the Act requires that at the hearing the Board must refuse the application if, after having had regard to the Police Scotland notice, any information provided by Police Scotland under section 73(5) and any information provided by the LSO under section 73A(2), the Board is satisfied that a ground of refusal applies. If not satisfied, the Board must grant the application.
- 2.2 The grounds of refusal are-
- (a) that, having regard to the licensing objectives, the applicant is not a fit and proper person to be the holder of a personal licence,
 - (b) that it is otherwise necessary to refuse the application for the purposes of any of the licensing objectives.
- 2.3 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.

Recommendation

The Board is invited to determine the application as follows:-

- (a) If, having had regard to the Police Scotland notice, any information provided under section 73(5) or 73A(2) and any submissions made by the applicant and/or the Police Scotland representative at the hearing, the Board is satisfied that a ground of refusal applies, the Board must refuse the application.
- (b) If the Board is not so satisfied, the Board must grant the application.

Ref.: HC10128

Author: Kata Somogyi

Date: 31 August 2026

Appendices: Appendix 1 - Letter from Police Scotland dated 27 August 2026

27/08/2026

Your Ref: FS864870669

Our Ref: 1041062

Highland Council
Licensing Office
Council Headquarters
Glenurquhart Road
Inverness
IV3 5NX



Divisional Co-ordination Unit
Highland and Islands Division
Police HQ
Old Perth Road
INVERNESS
IV2 3SY

Dear Madam,

LICENSING (SCOTLAND) ACT 2005 - APPLICATION FOR THE GRANT OF A PERSONAL LICENCE. JACK HOWELL, [REDACTED]

I refer to the above application.

In terms of Section 73(3)(b) of the Licensing (Scotland) Act 2005 (the 2005 Act) I give notice that, based upon the information provided and as far as the Chief Constable is aware, the applicant has been convicted of the following relevant offences. These were not declared.

Date	Court	Crime/Offence	Disposal
02/05/2022	Inverness Sheriff Court PSSNAR3AX0522	Section 38 (1) Criminal Justice and Licensing (Scotland) Act 2010. Aggravator – Offending whilst on bail.	Fine £400 Victim surcharge £20
16/05/2022	Inverness Sheriff Court PNCN046460021	Breach of the Peace	Fine £450 Victim surcharge £20

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03/07/2023	District Court of Amsterdam NI/23/9745	Assault	1000Euro fine or 20 days imprisonment
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In terms of Section 73(5) of the 2005 Act the Chief Constable provides the following information in relation to the applicant which is relevant to the Board's consideration of the application: -

PSSNAR3AX0522

On Sunday the 1st of May 2022, around 1.45am, police officers were on uniformed foot patrol in Inverness city centre. Door steward highlighted the applicant to them as having been ejected from a nearby licenced premises due to his aggressive behaviour. Officers observed the applicant being restrained by another member of the public (believed to be a friend of the applicant) due to him being aggressive and clenching his fists and shouting towards door stewards nearby.

The applicant was advised to desist by officers however refused turning his abusive behaviour towards them. The applicant failed to calm down and move away from the area upon repeated instruction. The applicant continued to shout and swear towards officers and door stewards. The applicant was arrested, and it was noted he was on bail for a separate alleged offence. The applicant was held in police custody to appear at court the next lawful day.

On the 2nd of May 2023 the applicant was convicted at Inverness Sheriff Court and fined £400, receiving a £20 victim surcharge.

PNCN046460021

On Saturday the 14th of August 2021, around 11pm, witnesses were outside a premises on Lombard Street, Inverness. At this time a verbal altercation has commenced escalating to physical confrontations. During this, the applicant was reported to have punched several persons about the face. Police have been contacted due to this melee. On police arrival and on initial investigations the applicant and another were arrested on suspicion of assault. There was CCTV at the location which displayed the whole incident. A report was submitted to the Procurator Fiscal for consideration of prosecution and on the 16th of May 2022 the applicant was convicted of a breach of the peace and fined £450 with a victim surcharge of £20 at Inverness Sheriff Court.

NI/23/9745

The applicant was charged with an assault on the 11th of May 2023 in Amsterdam.

On the 3rd of July 2023 at the District Court of Amsterdam the applicant was fined 1000 euros or, as an alternative, sentenced to 20 days imprisonment. No further information is known to the Police Service of Scotland in respect of this offence.

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In light of the above, the Chief Constable considers that it is necessary for the purposes of the preventing crime and disorder and securing public safety licensing objectives, that the application be refused. The Chief Constable accordingly makes a recommendation to that effect in terms of section 73(4) of the 2005 Act.

Yours faithfully



Chief Superintendent David Ross
Divisional Commander