

The Highland Licensing Board

Meeting – 27 October 2026

Agenda Item	9.5
Report No	HLB/97/26

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

The Malt Man, 66 High Street, Fort William, PH33 6AD

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by Thomas Melville, c/o TLT LLP, 9th Floor, Cadworks, 41 West Campbell Street, Glasgow, G2 6SE.

1.0 Description of premises

- 1.1 The premises is located in Fort William town centre and is run as a Traditional Alehouse and Restaurant.

2.0 Current operating hours

- 2.1 The premises currently enjoys the following operating hours:

On sales:

Monday to Wednesday: 1100 hours to 0000 hours
Thursday to Saturday: 1100 hours to 0100 hours
Sunday: 1230 hours to 2345 hours

Off sales:

Monday to Saturday: 1100 hours to 2200 hours
Sunday: 1230 hours to 2200 hours

3.0 Summary of variation application

3.1 Variation sought

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

- (1) Amendment to commencement time for both on and off-sales on Sundays: 11:00 hours (previously 12:30 hours).

- (2) Revision to seasonal variation to allow the premises to take advantage of any general or seasonal extensions granted by the Licensing Board.
- (3) Addition of the following activities to be provided *outwith* core licensed hours:
 - restaurant facilities
 - bar meals
 - receptions
 - club or other group meetings
 - outdoor drinking facilities
 - live performances
- (3.1) Addition of the following activities to take place both *within* and *outwith* core licensed hours:
 - dance facilities
 - theatre
 - films
 - indoor/outdoor sports
 - televised sports
- (4) Amendment to the narrative at Question 5 of Operating Plan to provide further details on activities taking place outwith core licensed hours.
- (5) Amendment to the narrative Question 5(f) to allow the following activities to take place:
 - tastings
 - charitable events
 - corporate events
- (6) Update to the Children and Young Persons Policy.
- (7) Change name of premises to “The Malt Man” (previously known as The Grog and Gruel).
- (8) Revise description of premises as follows:

“The Malt Man is a bar and restaurant located in Fort William High Town Centre with outdoor drinking areas.”

4.0 Background

- 4.1 An application for major variation of the premises licence was initially submitted on 16 June 2026 from Thomas Melville, c/o TLT LLP, 9th Floor, Cadworks, 41 West Campbell Street, Glasgow, G2 6SE and was processed in the normal manner.

On 17 July 2026, the Licensing Board received an updated major variation application following a request to include live performances within the operating plan. The application also sought to update the description of the premises to reflect the updated provision of outdoor drinking facilities following the recent approval of a minor variation.

- 4.2 The application was re-publicised during the period 20 August until 10 September 2026 and confirmation that the site notice was displayed has been received.
- 4.3 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.
- 4.4 Notification of the application was also sent to NHS Highland and the local Community Council.
- 4.5 Further to this publication and consultation process, no timeous objections or representations have been received. However, the Environmental Health Authority confirmed that it had no objection to the application but recommended that the following conditions be attached regarding in order to mitigate the potential for public nuisance:-
1. The outdoor area must be cleared of customers by 2200 hours, with no further consumption of alcohol permitted outdoors after that time.
 2. No amplified music, live or recorded music is to be played in or directed towards the outdoor area at any time.
- 4.6 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

5.0 Legislation

- 5.1 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.

- 5.2 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.

- 5.3 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.

- 5.4 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.

6.0 Licensing Standards Officer

- 6.1 The LSO has provided the following comments:-

- (i) The proposed new description of the premises is as described at paragraph 3.1(8) above.
- (ii) The application is within Highland Licensing Board policy.
- (iii) The application is consistent with the licensing objectives.

- (iv) No objections or representations were received in relation to the application. However, Environmental Health recommended two additional conditions, which have been incorporated into the proposed local conditions at paragraph 8.2 below.
- (v) If the Board is minded to grant the application the suggested additional Local Conditions at the end of this report are recommend to align with similar conditions that are applied to other licensed premises within the vicinity of the town centre, they have been discussed and agreed with the applicant /agent.
- (vi) I have no objections to this application.

7.0 HLB local policies

7.1 The following policies are relevant to the application:-

- (1) Highland Licensing Board Policy Statement 2023-28
- (2) Highland Licensing Board Equality Strategy

8.0 Conditions

8.1 Mandatory conditions

If the application is approved the mandatory conditions set out in Schedule 3 of the Act will apply.

8.2 Local conditions

Existing local conditions will continue to apply and it is recommended that the following additional local conditions be attached:

- (M): After 22:00 hours, alcoholic or non-alcoholic drinks shall not be consumed in any outdoor drinking area.
- N(i): No live or recorded music shall be played in any outdoor drinking area.
- (O): The licence holder shall ensure that consumption of drinks (alcoholic or non-alcoholic) in any outside drinking area is permitted only by customers seated at the tables and chairs provided in the outside drinking area and not by customers standing in that area.
- (P): The licence holder shall ensure that all outdoor tables are regularly cleared of all used glassware, crockery, cutlery and refuse.
- (Q): Within 15 minutes of the conclusion of permitted hours for any outside drinking area situated on a public footpath, all tables, chairs, parasols and other moveable furniture will be removed.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local conditions detailed at para. 8.2 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/450
Date: 14 October 2026
Author: Julie Traynor