The Highland Licensing Board

Agenda Item	**7.3**
Report No	**HLB/105/26**

Meeting – 1 December 2026

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

Newtonmore Golf Club, Golf Course Road, Newtonmore, PH20 1AT

Report by the Clerk to the Licensing Board

Summary

This report relates to an application for a major variation of premises licence by Newtonmore Golf Club, Golf Course Road, Newtonmore, PH20 1AT.

1.0 Description of premises

1.1 Newtonmore Golf Club is situated off the A9 just south of Aviemore and consists of an 18-hole course and clubhouse.

2.0 Summary of variation application

2.1 Variation sought

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

1. Amend operating plan to incorporate halfway house adjacent to the 10th tee.

2. Amend Layout plan to identify and delineate the proposed halfway house adjacent to the 10th tee.

3. Add seasonal variations.

4. Change of description to read: 'Golf clubhouse with licensed and catering facilities. The clubhouse is a single storey construction and contains ladies' and gents' locker rooms, club office, lounge bar, games room and kitchen facilities. The licensed premises include a designated external outdoor drinking area adjacent to the clubhouse as shown on the approved layout plan.'

3.0 Background

3.1 On 12 October 2026 the Licensing Board received an application for a major variation of a premises licence from Newtonmore Golf Club.

3.2 The application was publicised during the period 26 October until 16 November 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 or representations have been received.

3.6 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

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 1. The LSO has provided the following comments:-

(i) Newtonmore Golf Club has held an alcohol premises licence since 2009 firstly as a Private Members Club and since May 2024 as a full premises licence.

(ii) Application for a major variation has been received whereby permission is sought to incorporate the use of a halfway house offering on sales of alcohol which will be available to golfer's and caddies only on the golf course. At this time the proposed halfway house which has operated over a period of years on occasional licences during Newtonmore Golf Week consists of a caravan which when in use, is located adjacent to the 10th tee. The current proposal is that the caravan will be located at this location on the golf course as and when deemed appropriate and when not in use will be removed to the clubhouse area. This facility will operate restricted hours and will be staffed at all times whilst open.

(iii) Application is sought at section (d) to update the description of premises within the premises licence to reflect the current operations of the premises.

(iv) Variation is sought at Q5(d) of the operating plan to add an outdoor drinking area to the licenced footprint of the premises. This outdoor drinking area is situated to the side of the premises with a capacity for 30 seated guests. The outdoor area has on occasion since 2023, operated under occasional licences without adverse issue or comment.

(v) The operating history of the premises has been entirely satisfactory, compliance visits by the LSO have shown the premises to be well run according to the terms and conditions of the licence.

(vi) During the public consultation phase of this application, no objections or representations were received by the Licensing Board.

(vii) The LSO is satisfied that should the Highland Licensing Board wish to grant this application then there will be no threat to the Licensing Objectives.

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 it is recommended that the following additional local conditions be attached:

(l) The boundaries of any outside area will be effectively demarcated to the satisfaction of the Licensing Standards Officer.

(m) After 21.00 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 outdoor drinking area is permitted only by customers seated at the tables and chairs provided in the outside drinking area and not by customers standing there.

(p) The licence holder shall ensure that all outdoor tables are regularly cleared of all used glassware, crockery, cutlery and refuse.

7.3 Special conditions

The Board may wish to consider attaching the following special conditions:

(1) Alcohol sold from the halfway house on the golf course will only be supplied to golfers and caddies using the golf course to play golf.

(2) The premises licence holder shall ensure adequate supervision of patrons using the curtilage of the premises for smoking, so that no noise nuisance is caused to nearby residents.

Recommendation

The Board is invited to determine the above application and if minded to grant the application, to agree the proposed local/special conditions detailed at paras. 7.2 and 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/INBS/290
Date: 18 November 2026
Author: Marjory Bain