Agenda Item	**7.1**
Report No	**HLC/134/26**

THE HIGHLAND COUNCIL

Committee: **THE HIGHLAND LICENSING COMMITTEE**

Date: **01 December 2026**

Report title: **Application for the grant of a late hours catering licence – Lemon Pepper Holdings Limited – Wingstop, Inverness Retail & Business Park, Inverness (Ward 16 – Inverness Millburn)**

Report by: **The Principal Solicitor – Regulatory Services**

1. Purpose/Executive summary

1.1 This report relates to the application for the grant of a late hours catering licence.

This item is subject to a formal hearing procedure.

2. Recommendation

2.1 Members are asked to determine the application in accordance with the Council's hearings procedure.

3. Background

3.1 The Highland Council has resolved that in terms of the Civic Government (Scotland) Act 1982 (the "Act") a late hours catering licence will be required by any relevant premises selling food between the hours of 11.00pm and 5.00am.

4. Application

4.1 On 13 October 2026 an application for the grant of a late hours catering licence was received from Lemon Pepper Holdings Limited in respect of Wingstop, Inverness Retail & Business Park, Inverness.

4.2 The applicants have indicated on their application form that they wish to trade during the following hours:

Mondays: 2300 hours to 2400 hours
Tuesdays: 2300 hours to 2400 hours
Wednesdays: 2300 hours to 0300 hours (Thursday morning)
Thursdays: 2300 hours to 0300 hours (Friday morning)
Fridays: 2300 hours to 0300 hours (Saturday morning)
Saturdays: 2300 hours to 0300 hours (Sunday morning)
Sundays: 2300 hours to 2400 hours

5. Process

5.1 Following receipt of the application a copy of the same was circulated to the following Agencies/Services for consultation:

- Police Scotland,
- Scottish Fire & Rescue Service,
- Highland Council Environmental Health Service,
- Highland Council Building Standards Service, and
- Highland Council Planning Service.

5.2 There have been no objections received in relation to this application.

6. Late hours catering licence policy hours

6.1 The Council's policy hours for all late hours catering premises located in settlements (other than Inverness City Centre) which have late opening liquor licences (i.e. after 01.00) are 03.00 on the morning of Thursday to Monday and to 12 midnight on all other nights.

6.2 The following also details the policy hours for premises located within the Inverness City Centre:

Mondays: 2300 hours to 2400 hours
Tuesdays: 2300 hours to 2400 hours
Wednesdays: 2300 hours to 0300 hours (Thursday morning)
Thursdays: 2300 hours to 0330 hours (Friday morning)
Fridays: 2300 hours to 0400 hours (Saturday morning)
Saturdays: 2300 hours to 0400 hours (Sunday morning)
Sundays: 2300 hours to 0300 hours (Monday morning)

6.3 A location plan of the premises is attached in Appendix 1.

6.4 Members will note that the location of these premises do not fit within either of the above policies detailed in 6.1 and 6.2, as the premises are not located within the Inverness City Centre nor are they located in a settlement which has late opening liquor licences.

6.5 The application is therefore before the Committee for their consideration.

7. Determining issues

7.1 Paragraph 5(3) of Schedule 1 of the Act states that a licensing authority shall refuse an application to grant or renew a licence where:

(a) the applicant or anyone else detailed on the application is not a fit and proper person;

(b) the activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case shall be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to

(i) the location, character or condition of premises or the character or condition of the vehicle or vessel,
(ii) the nature and extent of the proposed activity,
(iii) the kind of persons likely to be in the premises, vehicle or vessel,
(iv) the possibility of undue public nuisance, or
(v) public order or public safety; or

(d) there is other good reason for refusing the application.

If required the Principal Solicitor – Regulatory Services will offer particular advice on the criteria relating to this particular application.

7.2 A copy of this report has been sent to the applicants who have been invited to attend and will be provided with an opportunity to be heard by the Committee. They have also been advised of the procedure which will be followed at the meeting.

8. Policies

8.1 The following policies are relevant to this case:

Standard late hours catering licence conditions. A copy of these can accessed at Late hours catering - Apply for a licence - Highland Council

or a hard copy can be supplied where requested.

9. Implications

9.1 Not applicable.

Date: 06 November 2026

Author: Michael Elsey

Reference: Civic Government (Scotland) Act 1982

Appendix 1: Location plan of premises.

Appendix 1



A96
A9
Inverness Retail
and Business Park
Eastfield Way
Leisure
Centre
Mast
Drain
Garden
Centre
Highlander Way
Sewage
Ppg Sta
Aqueduct
Ashton Farm
268633 845563 Meters