

SHETLAND ISLANDS AREA LICENSING BOARD – 12 AUGUST 2014

1. Application for Premises Licence

<u>Applicant</u>	<u>Premises</u>	<u>On-Sales/Off Sales/Both</u>
(a) Mike Skinner Babylon Braehead Lane Castle Street Scalloway Shetland, ZE1 0TP	Da Haaf Restaurant NAFC Marine Centre Port Arthur Scalloway Shetland ZE1 0UN	On Sales

• Core Times

On Sales

	Opening	Terminal
Mon	1100	0100
Tue	1100	0100
Wed	1100	0100
Thurs	1100	0100
Fri	1100	0100
Sat	1100	0100
Sun	1100	0100

Off Sales

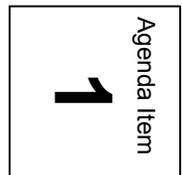
	Opening	Terminal
Mon	N/A	N/A
Tue	N/A	N/A
Wed	N/A	N/A
Thurs	N/A	N/A
Fri	N/A	N/A
Sat	N/A	N/A
Sun	N/A	N/A

- Seasonal Variation – No
- Other Activities – Conference facilities; restaurant facilities; receptions; club meetings; recorded music; live performances; outdoor drinking facilities
- Children or Young Persons admitted - Yes
- Capacity – 310 persons
- Premises Manager – Mike Skinner

LSO comments: No objections

Community Council comments: No response received

Building Standards comment: No objections



Police comments:	No objections
Health Board Comments:	No response received
Fire Board Comments:	No response received

**Shetland Area Licensing Board
August 2014
Licensing (Scotland) Act 2005 – Personal Licences**

1. Introduction

1.1 This report updates the Board on Personal Licence renewals.

2. Detail

2.1 The Board were given an update on 22 July 2014. The report and extract of minute are annexed.

2.2 Since that date another one of the first “batch” of personal licence holders has provided evidence to the Board of having completed training. 111 have not.

3. Recommendation

3.1 I recommend the Board notes this report.

Assistant Clerk to the Board

12 August 2014

Shetland Area Licensing Board
February 2014
Licensing (Scotland) Act 2005 – Personal Licences

Appendix

1. Introduction

1.1 This report updates the Board on Personal Licence renewals, including the requirement to remind holders to undertake training.

2. Background

2.1 In accordance with section 71 of the Licensing (Scotland) Act 2005 (“the Act”) a Personal Licence may be issued by the Board authorising the individual to supervise or authorise the sale of alcohol. A personal licence has effect during the period of 10 years from the date on which it is issued.

2.2 The holder of a Personal Licence is required to undertake training and to provide to the Board evidence of having done so: section 87. Such evidence must be produced to the Board no later than three months after the expiry of five years from the date on which the Personal Licence was issued, and each subsequent five year period.

2.3 The Board must give notice to the holder of a Personal Licence of the requirement to undertake training, no later than three months before the expiry of each five year period.

2.4 If a Personal Licence holder fails to comply with the training requirements and fails to provide evidence of training to the Board within the statutory time, the Board must revoke the licence: section 87(3). If the Board revokes a Personal Licence the individual cannot apply for a new Personal Licence for a period of five years: section 74(3)(c).

3. Notifications to Personal Licence holders and update on process

3.1 The Board has given notice of the requirement to undertake training to 235 personal licence holders. To date 123 have produced the required evidence and their licences have been updated accordingly. 112 have not responded. There is no further requirement for the Board to remind licence holders of their statutory duties.

4. Summary

4.1 The Board has complied with the requirement to give notice to personal licence holders of their statutory training obligations.

5. Recommendation

5.1 I recommend that the Board notes the content of this report and the ongoing action to process Personal Licence renewals.

Assistant Clerk to the Board

22 July 2014

2. **Licensing (Scotland) Act 2005 – Personal Licences**

The Board considered a report by the Assistant Clerk to the Board (Appendix 2), which provided an update on Personal Licence renewals, including the requirement to remind holders to undertake training.

In introducing the report, the Solicitor advised on the requirement for personal licence holders to carry out regular training every 5 years, and provide such evidence to the Board. He informed on the obligation on the Board to remind licence holders of this requirement for training, and that a reminder had also been sent to those who have not yet sought renewal or surrender of their licence.

Reference was made to Section 3.1 of the report, where Mr Campbell questioned whether a further letter should be sent to the 112 licence holders who are still to respond. However, the Licensing Standards Officer confirmed that telephone contact has been made with all the remaining licence holders so they are aware of the requirements. The Chair suggested that with this being the first time for renewal of licences, that a press release be prepared to act as a further reminder to licence holders particularly as the consequences of not undertaking the training were quite significant, as should a licence not be renewed before the end of November 2014 an individual could not hold another licence for 5 years. The Board agreed for a press release to be prepared.

During the discussion, it was agreed that an update report would be presented to the next meeting to inform the Board on the renewals received.