

SHETLAND ISLANDS AREA LICENSING BOARD – MEETING 21 NOVEMBER 2014

1. Application for Provisional Premises Licence

<u>Applicant</u>	<u>Premises</u>	<u>On-Sales/Off Sales/Both</u>
(a) The Co-operative Group Food Limited 1 Angel Square Manchester M60 0AG	The Co-operative Food 2 Dunrossness Industrial Estate Dunrossness Shetland ZE2 9JB	Off Sales

- Core Times

Off Sales

	Opening	Terminal
Mon	10am	10pm
Tue	10am	10pm
Wed	10am	10pm
Thurs	10am	10pm
Fri	10am	10pm
Sat	10am	10pm
Sun	10am	10pm

- Seasonal Variation – No
- Other Activities – Recorded music in the background
- Children or Young Persons admitted - N/A
- Capacity of display area – 22.31m²
- Premises Manager – To be confirmed

LSO comments: No comments or observations other than should Da Keg (which is another licensed premises) remain open on the same small industrial site then the Board may want to consider overprovision in the area.

Community Council comments: None received

Building Standards comment: The total area calculated for display of Alcohol is 22.31m² and not 26.1m² as specified in the operating plan. Were the display areas associated with the sale of Tobacco and accessories to be added to that area set aside for Alcohol display the total would be 26.51m²; close to the 26.1m² specified.

As the display of tobacco and accessories is not relevant to the enquiry I believe that the capacity of the premises for the display of alcohol should be recorded as 22.31m².

Police comments: No objections

Health Board Comments: None received

Fire Board Comments: No objections

**Shetland Area Licensing Board
21 November 2014
Christmas and New Year Licensing Hours**

1. Introduction

1.1 Under Section 67 of the Licensing (Scotland) Act 2005, the Shetland Islands Area Licensing Board have the power to grant general extensions if they consider it appropriate to do so for a special event of local or national significance.

1.2 In terms of the Board's current Statement of Licensing Policy the Board has indicated that it will consider annually whether to grant a general extension for the Christmas and New Year period. It further provides that during such a general extension the Board will consider permitting all licensed premises to remain open until 2 am and nightclubs to remain open until 3 am provided they meet conditions required to ensure the promotion of the licensing objectives.

2. Discussion

2.1 Among the benefits of a general extension is that it avoids the potential inconsistency when considering applications where premises have applied for individual extensions to their licence and also addresses the tendency under the previous Licensing Act for licensed premises to seek increasingly longer extensions for the festive period. The majority of on sales premises included a reference to the festive period in their seasonal variations in their operating plan but these were not specific in the dates and times.

2.2 In 2009 the Board granted a general extension. However in subsequent years 2010, 2011 and 2012 the Board decided against any general extensions.

2.3 In 2013 the Board granted a general extension for the period from 21 December 2013 to 6 January 2014. During this general extension all licensed onsales premises were permitted to remain open until 2 am and nightclubs who were permitted to stay open at weekends until 3 am were permitted to remain open until 3 am on any night during the extension period. The comparable time period this year would be 20 December 2014 to 5 January 2015 inclusive, covering the weekend before Christmas until the weekend after the New Year.

2.4 There have been no approaches made by the Licensed Trade Association for a general extension for the Christmas and New Year period of 2014. It should be noted that no applications for occasional extensions to cover from 1am to 2am for dates over the Christmas period have been received to date.

2.5 The Board are invited to consider whether they wish to issue a general extension in 2014. There will be some premises, which will be able to open to 2am on the Fridays and Saturdays of the festive period, as this is their normal licensing hours in their operating plans.

2.6 Alternatively the Board could apply the same approach as 2010, 2011 and 2012, where no general extension was granted.

3.

4. Recommendation

3.1 I recommend that the Board consider whether they wish to grant a general extension for the festive period. If the Board resolve to grant a general extension:

- 1) to resolve to permit all onsales licensed premises to stay open until 2am and to permit nightclubs which hold a licence to remain open until 3am at weekend nights to open until 3am on any night during the extension period, or to determine what other hours are appropriate: and
- 2) to determine the dates that this general extension will cover will be 20 December 2014 to 5 January 2015 inclusive or to determine what other dates are appropriate

Depute Clerk to the Board