

SHETLAND ISLANDS AREA LICENSING BOARD – MEETING 10 MARCH 2015

1. Application for Premises Licence

Applicant

Premises

On-Sales/Off Sales/Both

(a) Drumquin Guest House Ltd

Drumquin Guest House
Brae
Shetland
ZE2 9QJ

On-Sales

• Core Times

On Sales

	Opening	Terminal
Mon	11am	12am
Tue	11am	12am
Wed	11am	12am
Thurs	11am	12am
Fri	11am	12am
Sat	11am	12am
Sun	11am	12am

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 – None
- Other Activities – Accommodation, conference facilities, restaurant facilities, bar meals, receptions including weddings, funerals, birthdays, retirements etc, club or other group meetings etc, recorded music, live performances, televised sport and outdoor drinking facilities.
- Children or Young Persons admitted - Yes
- Capacity in bar area - 60 persons - 40 seated and 20 standing.
- Premises Manager – Robert B Webster

LSO comments:

No objections

Community Council comments:

Delting Community Council members support the application for Drumquin Guest House to sell alcohol on the premises.

The Community Council would like the Board to consider overprovision of licensed premises in Brae and that future applications be more heavily scrutinised.

Building Standards comment:	The figure of 60 persons specified on the Operating Plan would be acceptable. The total operating area measures 60m ² and would reasonably accommodate 60 covers at 1/m ² per person. As sales are limited to on-sales the figure of 60 persons appears reasonable, either in the 40 persons seated/20 persons standing configuration declared, or as a total of 60 persons seated.
Police comments:	No objections
Health Board Comments:	No response received
Fire Board Comments:	No objections

SHETLAND ISLANDS AREA LICENSING BOARD

10 March 2015

Hearing for a Personal Licence Holder (section 83)

1. Summary

Bela Gabor Szanyi, a Personal Licence holder, has notified the Licensing Board that he has been convicted of a relevant offence. The Licensing Board is asked to make a decision on whether to:-

- take no action; or
- having regard to the conviction, consider whether it is necessary to endorse, suspend or revoke the Personal Licence of the said Bela Gabor Szanyi in terms of section 83 of the Licensing (Scotland) Act 2005, for the purposes of any of the licensing objectives

2. Detail

- 2.1 On 14 February 2014 Bela Gabor Szanyi applied for a Personal Licence, which, as he met the criteria at that time, was granted under the delegated procedure on 3 July 2014.
- 2.2 On 2 February 2015 Mr Szanyi wrote to the Shetland Islands Area Licensing Board a letter and informed the Board that he had been convicted of a drink-driving offence.
- 2.3 The Assistant Clerk gave notice of the conviction to the Police and requested details of the conviction to allow the Board to decide whether any action was necessary.
- 2.4 On 6 February 2015 the Police Service of Scotland ("Police Scotland") confirmed that Mr Szanyi had been convicted in Lerwick Sheriff Court on 10 December 2014 of a contravention of section 5(1)(a) of the Road Traffic Act 1988 for driving a motor vehicle with an alcohol concentration above the prescribed limit. This is a relevant offence for the purposes of the Licensing (Scotland) Act 2005.
- 2.5 Police Scotland may, where it considers that, having regard to the conviction, it is necessary for the purposes of any of the licensing objectives, make a recommendation that the licence holder's personal licence should be revoked, suspended or endorsed. 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 from harm.

Police Scotland has not made such a recommendation.

3. Conclusion

- 3.1 Mr Szanyi is a Personal Licence holder. He has committed a relevant offence for the purposes of the Licensing (Scotland) Act 2005. The Board must consider what action, if any, it wishes to take in respect of this conviction. The options available to the Board are to take no action or, endorse, suspend or revoke Mr Szanyi's Personal Licence if the Board is satisfied that it is necessary to do so for the purposes of any of the licensing objectives.

Assistant Clerk to the Licensing Board

Ref: SI/LIQ/430 DKA

26 February 2015