

RECORD OF DECISIONS

**Shetland Islands Area Licensing Board
Council Chamber, Town Hall, Lerwick
Friday 22 April 2011 at 10.00am**

Present:

C L Smith J Budge
A T J Cooper J H Henry
A J Hughson G Robinson
J G Simpson

Apologies:

A J Cluness

In attendance:

B C Hill, Depute Clerk to the Board
E Leach, Environmental Health Officer
Sgt J Beeston, Northern Constabulary
L Geddes, Committee Officer

Chairperson

Mr C L Smith, Convener to the Board, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

The Convener advised that this was his last meeting as Convener of the Board, and said he would like to thank the Board and Shetland licensees for their support and understanding over the last four years.

Applications under the Licensing (Scotland) Act 2005 for Extension of Licensed Hours and for Occasional Licences

The Board considered a report by the Depute Clerk to the Board, attached as Appendix 1.

1	Application for Extension of Licensed Hours	
1(a)	<p><u>Da Wheel Bar</u> – The Environmental Health Officer and Sgt J Beeston both observed that the extended times applied for are ordinarily outwith existing policy.</p> <p>The Wheel Bar representative advised that the extension had been granted on the last occasion this event took place in Shetland. She pointed out that whilst it was a local event, it was of national significance, and there was an expectation that nightclubs would open later than pubs and clubs. This would also reduce the volume of people on the streets at 1.00am.</p> <p>The Convener pointed out that the Tall Ships</p>	Refused

	<p>organisers had been in consultation with himself, and they were not organising any events later than 1.00am.</p> <p>In noting that the Tall Ships events would mainly take place during the day or early evening, Mr G Robinson moved that the Board refuse the grant of the Extension of Licensed Hours listed as 1a. Mr A J Hughson seconded.</p>	
2	Applications for Occasional Licence	
2 (a)	<p><u>Cullivoe Public Hall</u> – The Environmental Health Officer and Sgt J Beeston both observed that the extended time to 2.00am applied for was ordinarily outwith existing policy.</p> <p>Mr A T J Cooper moved that the Board grant the application, with the exception of Sunday 17 July which should be granted to 1.00am rather than 2.00am. Mr A J Hughson seconded.</p> <p>In response to a query, the Depute Clerk to the Board advised that the Hall had a premises licence for the sale of alcohol at the hall premises, and they could apply for an occasional licence to cater outwith. This application could normally have been dealt with under delegated authority, but the 2.00am application was outwith existing policy.</p>	Granted in Part
2 (b) – (f)	<p><u>Mr Wilbert Cameron Henry – Accordion & Fiddle Festival</u> - The Environmental Health Officer and Sgt J Beeston both observed that the extended time applied for was ordinarily outwith existing policy.</p> <p>The Convener pointed out that the application was the same as the application for the previous year, and was the same as had been granted for the Folk Festival.</p> <p>In commenting that they felt this was an event of local significance and that, in common with the Folk Festival, many people attending would only be coming back to the Club following the country concerts, Mr G Robinson moved that the Board grant the applications and Mr J Budge seconded.</p> <p>Mr J G Simpson moved that in order to be consistent with earlier applications, the Board should grant the applications to 1.00am only on the relevant dates.</p> <p>Mr A T J Cooper seconded.</p> <p>Following summing up, voting took place by show of hands and the result was as follows:</p>	Granted

	Amendment (Mr J G Simpson) 2 Motion (Mr G Robinson) 4	
2 (g)	<p><u>Lerwick Boating Club</u> - The Environmental Health Officer and Sgt J Beeston both observed that the extended time applied for was ordinarily outwith existing policy.</p> <p>The Boating Club representative pointed out that this was the 30th anniversary of the Race and that extensions had been received on the vast majority of occasions in the past, and the participants felt that an extension would help Shetland retain the Shetland leg of the Race. He said that it could be argued that the event was of local, national and international significance. The socialising largely took place between the sailors, and they were responsible sailors. The feedback from last year's participants was that there was disappointment that the events had finished at 1.00am rather than 2.00am as had been the case in the past, and they felt that it took away from Shetland hospitality. A 2.00am extension would help with crowd dispersal in Lerwick, and he pointed out that the Board had approved 2.00am extensions at today's meeting and the previous one.</p> <p>Mr J H Henry moved that the Board approve the application, and Mr J G Simpson seconded.</p> <p>Mr G Robinson commented that the Board had refused extensions at today's meeting for another predominantly daytime event. He therefore moved that the application be granted to 1.00am only, and Mr A T J Cooper seconded.</p> <p>Voting took place by show of hands and the result was as follows:</p> <p>Amendment (Mr G Robinson) 4 Motion (Mr J H Henry) 2</p>	Granted in Part

The meeting concluded at 10.20am.

Convener