

## SHETLAND ISLANDS AREA LICENSING BOARD – MEETING 15 APRIL 2014

### 1. Applications for Premises Licence

<u>Applicant</u>	<u>Premises</u>	<u>On-Sales/Off Sales/Both</u>
(a) Bigton Community Enterprise Ltd	The Bigton Community Shop Bigton ZE2 9JA	Off-sale

- 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 – N/A
- Children or Young Persons admitted - N/A
- Capacity in display area - 6m<sup>2</sup>
- Premises Manager – Ladislaus Andreas

LSO comments: No observations

Community Council comments: No response received

Building Standards comment: Only comment to advise of capacity of display area indicated above.

Police comments: No observations

Health Board Comments: No response received

Fire Board Comments: No observations

(b) Mr Tadas Zebrauskas

Staney Hill Shop  
41 Norstane  
Lerwick  
ZE1 0QG

Off-sale

- 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 – N/A
- Children or Young Persons admitted - N/A
- Capacity in display area - 6.54m<sup>2</sup>
- Premises Manager – Tadas Zebrauskas

LSO comments: No observations

Community Council comments: No response received

Building Standards comment: No response received

Police comments: No observations

Health Board Comments: No response received

Fire Board Comments: No observations

## 2. Applications for Variation other than a Minor Variation of Premises Licence

<u>Applicant</u>	<u>Premises</u>	<u>Proposed Variation</u>
(a) Swan Island Hotels Limited	The Hilltop Bar Hillend Mid Yell Yell ZE2 9BJ	Repositioning of bar display and servery within main public bar area.  <u>Current layout measurements</u>  Bar display area: 1,360mm x 600mm  Bar servery area: 5,920mm total outside length  <u>Proposed layout measurements</u>  Bar display area: 3,200mm x 600mm & 2,200mm high  Bar servery area: 4,500mm x 600mm
LSO comments:	No observations	
Community Council comments:	No response received	
Building Standards comment:	No observations	
Police comments:	No observations	
Health Board Comments:	No response received	
Fire Board Comments:	No observations	

(b) S Johnston Services Ltd

The Bixter Shop  
Bixter  
ZE2 9NA

Amendment of hours when alcohol will be sold for consumption off the premises

	EXISTING HOURS	PROPOSED HOURS
Monday	10am-7pm	10am-10pm
Tuesday	10am-7pm	10am-10pm
Wednesday	10am-7pm	10am-10pm
Thursday	10am-7pm	10am-10pm
Friday	10am-7pm	10am-10pm
Saturday	10am-7pm	10am-10pm
Sunday	2pm-4pm	10am-10pm

LSO comments: No observations

Community Council comments: No response received

Building Standards comment: No response received

Police comments: No observations

Health Board Comments: No response received

Fire Board Comments: No observations

### 3. Applications for Occasional Licence

<u>Applicant</u>	<u>Premises</u>	<u>Hours Applied For</u>	<u>Event or Occasion</u>
(a) Simmer Dim Rally Committee	Marquee The Park opposite South Nesting Hall South Nesting Shetland	<u>Hours for Sale of Alcohol for Consumption on Premises</u> 12 noon Thursday 19 June 2014 – 4am Friday 20 June 2014  <u>Hours for Sale of Alcohol for Consumption off Premises</u>  12 noon – 10pm Thursday 19 June 2014	Simmer Dim Rally

LSO comments:

As a Licensing Standards Officer for the area in which the premises is situated, I have the following comments:

The times requested for the sale of alcohol on the premises are until 4am. The terminal hour in terms of the Board's policy is 1 a.m. The Board can grant a later terminal hour in circumstances where they consider it appropriate to do so. There is provision under Sections 67 and 68 of the Licensing (Scotland) Act 2005 to permit extended drinking hours for existing licensees when considering an event of local or national significance and the Board may consider such criteria as a reason to permit a later terminal hour in this case.

The Licensing Board has previously considered that the Simmer Dim Rally meets the criteria of a special event of local or national significance and may wish to consider this again as a justification for permitting a later terminal hour.

Police comments:

No objections

(b) Simmer Dim Rally Committee	Marquee The Park opposite South Nesting Hall South Nesting Shetland	<u>Hours for Sale of Alcohol for Consumption on Premises</u>  12 noon Friday 20 June 2014 – 4am Saturday 21 June 2014  <u>Hours for Sale of Alcohol for Consumption off Premises</u>  12 noon – 10pm Friday 20 June 2014	Simmer Dim Rally
LSO comments:	<p>As a Licensing Standards Officer for the area in which the premises is situated, I have the following comments:</p> <p>The times requested for the sale of alcohol on the premises are until 4am. The terminal hour in terms of the Board's policy is 1 a.m. The Board can grant a later terminal hour in circumstances where they consider it appropriate to do so. There is provision under Sections 67 and 68 of the Licensing (Scotland) Act 2005 to permit extended drinking hours for existing licensees when considering an event of local or national significance and the Board may consider such criteria as a reason to permit a later terminal hour in this case.</p> <p>The Licensing Board has previously considered that the Simmer Dim Rally meets the criteria of a special event of local or national significance and may wish to consider this again as a justification for permitting a later terminal hour.</p>		
Police comments:	No objections		

(c)	Simmer Dim Rally Committee	Marquee	<u>Hours for Sale of Alcohol for Consumption on Premises</u>
		The Park	
		opposite South Nesting Hall	12 noon Saturday 21 June 2014 – 4am Sunday 22 June 2014
		South Nesting	
		Shetland	<u>Hours for Sale of Alcohol for Consumption off Premises</u>
			12 noon – 10pm Saturday 21 June 2014

LSO comments:	<p>As a Licensing Standards Officer for the area in which the premises is situated, I have the following comments:</p> <p>The times requested for the sale of alcohol on the premises are until 4am. The terminal hour in terms of the Board's policy is 1 a.m. The Board can grant a later terminal hour in circumstances where they consider it appropriate to do so. There is provision under Sections 67 and 68 of the Licensing (Scotland) Act 2005 to permit extended drinking hours for existing licensees when considering an event of local or national significance and the Board may consider such criteria as a reason to permit a later terminal hour in this case.</p> <p>The Licensing Board has previously considered that the Simmer Dim Rally meets the criteria of a special event of local or national significance and may wish to consider this again as a justification for permitting a later terminal hour.</p>
Police comments:	No objections



**Shetland Area Licensing Board  
15 April 2014  
Gambling Act 2005  
Three Year Policy Statement - 2013/16**

1. Introduction

- 1.1 The purpose of this report is to finalise the Three Year Policy Statement under the Gambling Act.

2. Background

- 2.1 In terms of the Gambling Act 2005, Section 349, the Board is required to publish every three years a statement of the principles that they will propose to apply in exercising their functions under the Gambling Act 2005. The statement of principles has to conform to the terms of the Gambling Act 2005 (Licensing Authority Policy Statement) (Scotland) Regulations 2006.

- 2.2 The Board considered a draft Policy Statement at their meeting on 23 December 2013. The Board then published the Statement in accordance with the Regulations and sought comments.

- 2.3 The draft Policy Statement can be viewed online at [http://www.shetland.gov.uk/about\\_introduction/documents/PolicyStatementofGamblingLicensingPrinciples.pdf](http://www.shetland.gov.uk/about_introduction/documents/PolicyStatementofGamblingLicensingPrinciples.pdf)

- 2.4 The consultation period ended on 17 February 2014. No comments were received from any of the consultees or from the public.

3. Recommendation

- 3.1 I recommend that the Board approves the terms of the draft Gambling Policy Statement 2013-16 and adopts it for the operation of its functions under the Gambling (Scotland) Act 2005 with effect from today.

Depute Clerk to the Board

2 April 2014