

**Shetland Islands Area Licensing Board
Council Chamber, Town Hall, Lerwick
Tuesday 15 April 2014 at 10.00am**

Present:

M Bell P Campbell
A Duncan C Smith
G Smith

Apologies:

A Cooper G Robinson
A Westlake

In Attendance (Officers):

S Brunton, Depute Clerk to the Board
Chief Insp. E Graham, Police Scotland
P Dinsdale, Environmental Health Officer/Licensing Standards Officer
L Gair, Committee Officer

Chairperson

Mr G Smith, Convener to the Board, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None.

1. **Applications under the Licensing (Scotland) Act 2005 for a Premises Licence, Variation other than a Minor Variation of Premises Licence and Occassional**

The Board considered a report by the Depute Clerk to the Licensing Board (Appendix 1).

1.	Application for a Premises	<u>Decision</u>
(a)	<p><u>The Bigton Community Shop</u> The Depute Clerk to the Board introduced the application, and it was confirmed that there were no concerns from the Police and no further comments from the Licensing Standards Officer.</p> <p>Mr Duncan commended the work of the Community Enterprise Company and for the outstanding job and hard work of all members of the community. Mr Duncan moved that the Board approve the application for a premises licence, Mr G Smith seconded.</p>	Granted

(b)	<p><u>Staney Hill Shop</u></p> <p>The Depute Clerk to the Board introduced the application. It was confirmed that there were no concerns from the Police and the Licensing Standards Officer.</p> <p>Mr Bell moved that the Board approve the application for a Premises Licence. Mr Campbell seconded.</p>	Granted
2.	Applications for Variation other than a Minor Variation of Premises Licence	<u>Decision</u>
(a)	<p><u>The Hilltop Bar</u></p> <p>The Depute Clerk to the Board introduced the application, and in response to a question confirmed that this was a change to the licence area.</p> <p>It was confirmed that there were no concerns from the Police and the Licensing Standards Officer.</p> <p>Mr Duncan moved that the Board approve the application for a Variation other than a Minor Variation of Premises Licence. Mr Campbell seconded.</p>	Granted
(b)	<p><u>The Bixter Shop</u></p> <p>The Depute Clerk to the Board introduced the application, and it was confirmed that there were no concerns from the Police and the Licensing Standards Officer.</p> <p>Mr Duncan moved that the Board approve the application for a Variation other than a Minor Variation of Premises Licence. Mr Campbell seconded.</p>	Granted
3.	Application for Occasional Licence	
(a) to (c)	<p><u>Simmer Dim Rally</u></p> <p>The Depute Clerk to the Board introduced the application, and advised that this application was for a terminal hour of 4am. She informed that in previous years applications had been granted with a terminal hour of 2am.</p> <p>The Licensing Standards Officer confirmed that current policy sets a terminal hour of 1am, but that previous applications for this event had been granted to 2am.</p> <p>Chief Inspector Graham advised that this year's event would be held at a different venue. The event had historically been policed by the Motorbike Unit from the mainland to supplement local Police resources. Chief Inspector Graham said that this application was for a significant extension that would have further resource implications for Police Scotland.</p>	Granted in Part

	<p>Mr Leask, representative for the Simmer Dim Committee was invited to speak in support of the application. Mr Leask advised that there are a number of Rally's over the mid summer weekend that may only end between 2am and 3am and some patrons return hoping to get a drink, but a 2am terminal makes this slightly restrictive. Mr Leask added that the bar would not necessarily remain open but it would be good to have that flexibility if required. He said that he did not see that extra policing would be required as many of the bikers would have gone to be before the band had finished earlier in the night.</p> <p>In responding to questions, the Depute Clerk to the Board explained that no other event has a 4am licence and explained that the Folk Festival had recently been granted a 2am licence again.</p> <p>At the request of a Member, Chief Inspector Graham provided more information on the resources that are brought into Shetland to monitor the event and explained that the costs to Police Scotland would include wages, ferry fare and overnight accommodation.</p> <p>Mr Leask also explained the catering arrangements provided by Mid Brae during the event and explained that as in previous years catering would be provided on a demand basis, with no set finish time and this normally concluded by between 2am and 3am. He added that the Simmer Dim Committee arranges one hot meal per day at teatime with individuals being responsible for themselves the rest of the time. Mr Leask also provided clarification on the voucher system in place for the bar. He advised that to attend the event tickets are purchased and 25 vouchers are provided for the weekend. These vouchers are exchanged for drinks over the duration of the weekend but there is no opportunity at the event to purchase more alcohol but individuals may chose to go to a shop if they wished to purchase more drink.</p> <p>Mr Campbell said that there are three establishments in Lerwick with a 3am terminal hour and moved that for the three applications 3a-c the Board approve the grant of an occasional licence to 3am. There was some concern that the three Lerwick establishments were nightclubs and certain conditions applied to those premises. No seconder was received.</p> <p>Mr Bell said that he had some concerns about this application and referred to the historic 2am terminal hour, which he believed had worked well. He said</p>	
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	<p>that a further two hours was a significant extension of time and there were road safety issues to consider particularly due to the change of location. Mr Bell expressed concern that approval of this application would set a precedent and that should be recognised.</p> <p>Mr Duncan moved that in respect of applications 3a-c the Board approve the grant of an occasional licence to the Simmer Dim Rally with a terminal hour of 2am for hours of sale of alcohol for consumption on premises. Mr Bell seconded.</p>	
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2. **Gambling Act 2005 – Three Year Policy Statement – 2013/16**

The Board considered a report by the Depute Clerk to the Shetland Islands Area Licensing Board that sought to finalise the Three Year Policy Statement under the Gambling Act. (Appendix 2).

Mr Campbell moved that the Board approve the Three Year Policy Statement – 2013/16. Mr Bell seconded.

The meeting concluded at 10.25am

Convener