

**Shetland Islands Area Licensing Board
Council Chamber, Town Hall, Lerwick
Tuesday 13 May 2014 at 10.00am**

Present:

M Bell P Campbell
G Robinson G Smith
A Westlake

Apologies:

A Duncan A Cooper
C Smith

In Attendance (Officers):

K Adam, Solicitor
P Dinsdale, Environmental Health Officer/Licensing Standards Officer
Insp. Tulloch, Police Scotland
L Gair, Committee Officer

Chairperson

Mr G Smith, Convener to the Board, presided.

Circular

The circular calling the meeting was held as read.

The Chair advised that an application had been received at short notice and as such had been passed to himself and another Member to make a decision under delegated authority to implement Section 57(5), for the period of notice to be shortened, and advised that the application had been tabled at the meeting for consideration as item 1(2)a.

Declarations of Interest

Mr Campbell declared an interest in item 1(2)a "Application for an Occasional Licence, Da Wheel Bar", advising that he would remain for the purpose of answering questions and would leave the Chamber thereafter.

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

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

1.	Application for Variation other than a Minor Variation of Premises Licence	<u>Decision</u>
a	<p><u>Da Wheel Bar</u></p> <p>The Solicitor introduced the application, and it was confirmed that there were no concerns from the Police and Building Standards comments were included in the appendix provided. Member were informed that work would not commence until the variation had been approved.</p> <p>Mrs Leask, representative of Da Wheel Bar explained the changes to be made to the premises and circulated a layout plan of these changes. In responding to a question she confirmed that the</p>	Granted

	<p>premises would not open until the building warrant and the S50 certificate was in place.</p> <p>Ms Westlake moved that the Board approve the Variation other than a Minor Variation of Premises License. Mr Campbell seconded.</p>	
2.	Application for an Occasional Licence	
a	<p><u>Shetland Norwegian Friendship Society</u></p> <p>The Solicitor introduced the item and explained that Mr G Smith, Convener of the Board and Mr Bell, as a Member of the Board exercised the delegated authority to approve the implementation of Section 57(5) for the period of notice to be shortened. They asked that the application be brought to the Board for consideration.</p> <p>The Solicitor advised that following the outcome of this meeting, the application would be advertised for a period of 24 hours and should no objections be received, the application would be granted.</p> <p>It was confirmed that the Licensing Standards Officer and the Police had no comment to make.</p> <p><i>(Mr Campbell left the Chamber)</i></p> <p>Members commented that use of Section 57(5) was not a practice that the Board wished to encourage but they acknowledged the reasons for applicant's oversight.</p> <p>Mr Robinson moved that the Board approve the implementation of Section 57(5) for the period of notice to be shortened the grant of an occasional licence, subject to there being no objections received as a result of publishing the application on the Council's website. Ms Westlake seconded.</p> <p>Mr Campbell returned to the Chamber and was advised of the Board's decision.</p>	<p>Granted (Subject to there being no public objection)</p>

The meeting concluded at 10.12am

Convener