

SHETLAND ISLANDS AREA LICENSING BOARD – MEETING 18 MAY 2015

1. Application for Premises Licence

Applicant

Premises

On-Sales/Off Sales/Both

(a) Mr Stewart Fox

133 Commercial Street, Lerwick

Off-Sales

• Core Times

On Sales

	Opening	Terminal
Mon		
Tue		
Wed		
Thurs		
Fri		
Sat		
Sun		

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 – Occasional alcohol tasting sessions within core operating hours for promotional purposes. These sessions free of charge.
- Children or Young Persons admitted - N/A
- Capacity in bar area – N/A
- Premises Manager – Erik M Burgess

LSO comments:

I have no comments or objections to make.

Community Council comments:

A member shared a concern on behalf of residents at 3 Reform Lane, due to possibility of duplication of provision and the possible increase of noise in the area. However, members agreed on the positive aspect of having the building occupied and the increased footfall to the street would be good. The loss of JJ Henry, licensed premises was mentioned. Also the promotion of Shetland Beer, the attraction for tourists and the speciality factor were raised. Members ultimately agreed to raise no objection to the application

Building Standards comment:

68.55m²

Police comments:

Complaints from residents in the near vicinity have been received at Lerwick Police Station regarding nuisance associated with drinking and abusing alcohol in the lanes. I would share in the concerns that further provision of licensed premises in the area may have a negative impact on the lives of residents in the area.

Health Board Comments:

None received.

Fire Board Comments:

None received.

Other Comments

Living Lerwick – see attached letter
Mr P Fraser – see attached form

2. Applications for Occasional Licence

<u>Applicant</u>	<u>Premises</u>	<u>Hours Applied For</u>	<u>Event or Occasion</u>
(a) James G L Martin	Peerie Shop Cafe & Outside Seating Area Esplanade Lerwick ZE1 0LL	11am - 11pm Saturday 30 May 2015 - Friday 12 June 2015	Bottled beers and wine to be served with food and drink menu and at any late night events during licence period

LSO comments:

As Licensing Standards Officer for the area I have the following comments to make:

- The manager of the premises should take appropriate steps to alert customers to the effect of the byelaw prohibiting consumption of alcohol in public, if the customers were to take alcohol outwith the licensed area.
- The manager should also give consideration to how the outside area is clearly delineated for customers to prevent them from committing an offence by straying outside the licensed area.
- I note that there is no indication on the occasional licence applications of how the outside seating area is to be controlled with respect to the above.

I have no objections to the above applications but recommend that actions be taken to manage the outside area adequately

Police comments:

No objections.

(b) Emma R Gibson	Peerie Shop Cafe & Outside Seating Area Esplanade Lerwick ZE1 0LL	11am - 11pm Saturday 13 June 2015 - Friday 26 June 2015	Bottled beers and wine to be served with food and drink menu and at any late night events during licence period
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LSO comments:

As Licensing Standards Officer for the area I have the following comments to make:

- The manager of the premises should take appropriate steps to alert customers to the effect of the byelaw prohibiting consumption of alcohol in public, if the customers were to take alcohol outwith the licensed area.
- The manager should also give consideration to how the outside area is clearly delineated for customers to prevent them from committing an offence by straying outside the licensed area.
- I note that there is no indication on the occasional licence applications of how the outside seating area is to be controlled with respect to the above.

I have no objections to the above applications but recommend that actions be taken to manage the outside area adequately

Police comments:

No objections.

Shetland Islands Area Licensing Board
8 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ



7 Mounthooly Street
Lerwick, Shetland, ZE1 0BJ

T: 01595 696932
E: info@livinglerwick.co.uk
W: www.livinglerwick.co.uk

7 April 2015

Dear Sir/Madam

Licensing application Beervanna 133 Commercial Street

Living Lerwick Ltd would like to offer its support for the licensing application you have received from Stuart Fox regarding 133 Commercial Street.

Living Lerwick Ltd believe Mr Fox has identified a gap in the market and that the business will appeal to real ale enthusiasts. Beervanna will educate people on what is actually available other than the usual lagers through the proposed tasting sessions. The project will also promote sensible drinking for quality rather than quantity.

Directors agree that this is exactly the kind of venture that should be encouraged within the town centre, especially in this Scotland's Year of Food and Drink 2015.

Yours faithfully



Christena Irvine
Manager (on behalf of the board of directors)
Living Lerwick Ltd

RECEIVED

14 APR 2015

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SHETLAND ISLANDS AREA LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

OBJECTIONS/REPRESENTATIONS FORM – PREMISES LICENCES

Please read the Board's Guidance on objections and representations – premises licences – before completing this form. If you require a copy of the Guidance, please contact Board staff using the following contact options –

by writing to: Clerk to Licensing Board
Governance & Law
Shetland Islands Council
8 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ

by telephone to: 01595 744087

by e-mail to: legal.services@shetland.gov.uk

by fax to: 01595 744585

Please complete this form in typewritten or block capital script, using black ink.

Details of Person Making Objection/Representation	
Full Name of Person	PETER J. FRASER.
Address of Person, including postcode	3 REFORM LANE, LERWICK, SHETLAND, ZE1 0DQ
Telephone Number of Person	
Email Address of Person	
Details of Premises Licence Application	
Address of Premises	133 COMMERCIAL STREET, LERWICK, SHETLAND, ZE1 0DL

Details of Any Objection	
Ground of Objection by reference to section 23(5) of the 2005 Act – these tally with the grounds of objection listed as (a) to (e) in the Board's Guidance	(a) (b) (c) (d) (ii) (e) Delete as appropriate
If referring to ground (e) – specify locality being referred to. You may lodge copy maps if that would help to clarify the locality.	PLEASE SEE A4 SHEET ATTACHED
Provide further detailed information about your objection. Please submit supplementary A4 sheets if required.	PLEASE SEE A4 SHEET ATTACHED
Details of Any Representation	
Details of any representation in support of the application. Please submit supplementary A4 sheets if required.	N/A.
Details of any modifications which you consider should be made to the operating plan. Please submit supplementary A4 sheets if required.	N/A
Details of any conditions which you consider should be imposed. Please submit supplementary A4 sheets if required.	PLEASE SEE A4 SHEET ATTACHED

Signature

 Date 3-4-15

£

Objection/representation Form - premises licences

Objection from Mr P.J. Fraser

3 Reform Lane,

Lerwick ZE1 0DQ

Address of premises objected to : 133 Commercial Street, Lerwick, ZE1 0DL

Referring to ground (e)

The wine shop , Commercial St, off sales = 55 yards away.

D & G Leslie, Esplanade, off sales = 73 yards away.

Lounge Bar, Mounthooly St , on sales = 94 yards away.

Montys Bistro, Mounthooly St, on sales = 100 yards away.

Grand Hotel, Commercial St, on sales = 34 yards away.

Captain Flints, Esplanade, on sales = 73 yards away.

Da Noost , Commerciel St = 24 yards away.

Thule Bar, Esplanade, = 118 yards away.

Queens Hotel, Commercial St, = 253 yards away.

Masonic Club, Queens Lane, =193 yards away.

Currently at weekends we have a lot of broken glass, empty cans, bottles and other litter strewn around Commercial Street as a result of the establishments within the area , this mess is also impacting upon the lanes.

The close proximity of these establishments cause a public nuisance due the large crowds congregating on the street with their loud and often violent behaviour dispersing up the lanes, as a result of this there is an impact on those who live in and around the lanes area of Lerwick.

I believe that another off sales outlet would be of further detriment to the area increasing

public nuisance, crime and disorder and encouraging further over-use of alcohol within Shetland.

As evidenced above, there is already an over provision of off sales and licenced premises of a similar nature in the immediate vicinity of the proposed off sales. In addition, we also have occasional licensed events within the vicinity such as the Johnsmas foy and Food Festival.

Granting this application will contribute further to over provision of licensed premises of this nature in the vicinity as well as contributing to an increase in crime, disorder and public nuisance.

If the Licensing board grant this application then opening times should be resricted to 10:00 hours until 18:00 hours so as to help minimise further public nuisance , crime and disorder which would increase or be exacerbated granting.

Over the years Shetland seems to have adopted an almost siamese twin who we all know as alcohol, this twin has and will continue to cause nothing but ill fate for Shetland and those who fall within its grasp. You have a responsability and a public duty to look at this and every application and this should and could be a very good chance for you to exercise that duty by NOT granting this application. I have heard in the past that the council would like most of if not all commercial premises occupied on Commercial Street, this I can well understand. However if we beleive what we see in our local press and hear on BBC radio Shetland on a weekly basis then we must understand what alcohol is doing to our community and what damage it is causing. If anything the licencing board should be trying to minimize the amount of alcohol outlets in Lerwick .

I hope that you take the time to read this and find within yourselves the strenth to do the right thing.

P.J. Fraser