

**Shetland Islands Area Licensing Board
Council Chamber, Town Hall, Lerwick
Thursday 25 August 2016 at 10am**

Present:

M Bell A Cooper
C Smith G Smith
G Robinson A Westlake

Apologies:

None

In Attendance (Officers):

K Adam, Solicitor
P Dinsdale, Licensing Standards Officer
S Irvine, Business Support Assistant
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 paid tribute to the late Michael Johnston, who had been the Chairman of the Licensing Forum until his sudden and untimely death on 14 July 2016. He informed the Board that Michael had been a Councillor between 1988 and 1990 having been elected at the age of 26 and had served on the Licensing Board at that time, amongst other committees. The Chair commented that Michael had been a great support to him as Chair of the Licensing Board and that Michael would be sadly missed by himself and Members of the forum. The Chair asked that the Licensing Board's appreciation of Michael and his work with the Licensing Forum be recorded in the minute and advised that the Convener of the Council would pay tribute to Michael at a future meeting of the Council. Members concurred with the Chair's sentiments.

Declarations of Interest

None.

1. Applications under the Licensing (Scotland) Act 2005

1.	<u>Application for an Occasional Licence</u>	<u>Decision</u>
(a) & (b)	<u>Peerie Shop Cafe & Outside Seating Area</u> The Solicitor advised that the applicant was present to answer Member's questions. In his introduction the Solicitor explained that these applications were in the same terms to those previously made. He explained that the Peerie Shop applications coincides with the cruise ship period, the first being from 1 June and thereafter for a cumulative period of 16 weeks. In referring to the previous application he advised that Members had questioned whether a full licence would be more appropriate and whether the licensing objectives were being met. He advised that there was no breach of objectives in the granting of the applications and that neither the Police nor the Licensing Standards Officer had any objections to the application. The Solicitor also advised on the difference in	Granted

cost between a full licence and the occasional licences applied for. He said that it perhaps would have been more appropriate if a seasonal fee was available to cover such applications but in the absence of such an option, a full licence would make it not viable financially in terms of the amount of alcohol sold.

In response to questions, Ms Gibson, on her own behalf and on behalf of the other applicant, James Martin, advised that the reason for the applications being in two separate names was simply to share the responsibility between the personal licence holders. She also explained that the sale of alcohol is not a significant part of their business and they sell fewer than 200 units of alcohol each year. She said that it is Lerwick brewery bottles of beer that is served and mainly just to tourists.

During some discussion the Chair advised that the use of occasional licences has previously been discussed by the Licensing Forum. He said that although they were not commenting on specific premises, their view had been around the benefit of having outdoor facilities and they saw it as an important part of promoting Shetland.

Mr Bell moved that the Board approve the grant of the occasional licences presented. Mr Robinson seconded.

Comment was made by Members in regard to the administration costs involved in processing applications and Member time and costs to attend meetings with few items on the agenda. In response, the Chair agreed that Officers would be asked to consider maximising delegated authority as far as possible before the next update of the Board's Statement of Licensing Policy in November, to address these concerns where possible.

The meeting concluded at 10.15a.m.

Convener