

Shetland Islands Area Licensing Board
Auditorium, Museum and Archives, Hay's Dock, Lerwick
Tuesday 14 March 2017 at 11am

Present:

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

Apologies:

A Duncan

In Attendance (Officers):

K Adam, Solicitor
P Dinsdale, Licensing Standards Officer
Sgt. Brill, Police Scotland
S Irvine, Business Support Officer
A Manson, Business Support Officer
L Malcolmson, 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. Application under the Licensing (Scotland) Act 2005

1.	<u>Application for Occasional Licence</u>	<u>Decision</u>
(a)-(c)	<p><u>Simmer Dim Rally Committee</u> Members noted that Mr Murchison, Simmer Dim Rally Committee representative, was present.</p> <p>After hearing the Solicitor introduce the application, and there being no further comment from the Police and Licensing Standards Officer, the Board approved the grant of the Occasional Licences, as presented, on the motion of Ms Westlake, seconded by Mr Campbell.</p> <p>Members commented that this was a successful, well organised and well stewarded event.</p>	Granted
2	<u>Application for Premises Licence</u>	
(a)	<p><u>Maryfield House Hotel</u> Members noted that Mr Thomas, Premises Manager and his partner, were present.</p> <p>The Solicitor explained that the previous premises licence had been surrendered before Mr Thomas purchased the hotel. He</p>	Granted

referred to the comments made on the application in regard to overprovision. The Solicitor provided more detail on the off sales available locally from the community hall and shop. He also highlighted observations received from the neighbouring property that expressed concerns regarding noise from traffic using the car park that abuts their property. Mr Thomas was asked if he would be willing to consider the neighbour's concerns. Mr Thomas advised that the main road is closer to the neighbour's bedroom than the car park but explained that this car park was likely to be used by guests staying in the hotel who would be unlikely to be in and out of the hotel late at night. Members acknowledged that visitors to the bar and restaurant would be more likely to use the car park at the back of the property.

The Licensing Standards Officer said that if noise complaints were to be reported in the future the matter would be investigated.

Mr Bell said that he was delighted that the Maryfield Hotel had reopened and this was good for Bressay and Shetland. He said that he had heard good reports so far that this was a well run establishment. In considering the matter of overprovision, Mr Bell said that off sales were different from a Hotel than a shop and that the shop had limited opening hours. In referring to the neighbour's concerns he said that he was aware that the previous owner of the hotel had built the house on the property for family, but he was content that the applicant would minimise the disruption to the current owner of the house. Mr Bell moved that the Board approve the grant of the premises licence as it stands. Mr C Smith seconded.

2. **Licensing Scotland Act 2005 - Variation of Certain Fees**

The Board considered a report by the Depute Clerk to the Shetland Islands Area Licensing Board which presented an increase to the fees for certain applications in respect of licensed premises.

The Solicitor introduced the report and tabled a new appendix to the report which presented the correct figures for the proposed increase to fees. The Solicitor explained that the new fees brought the Shetland Islands Area Licensing Board in line with fees applied across the rest of the Country. He said that that the increase reflected the 2% increase suggested by the Council's Finance services.

Mr G Smith moved that the Board approve the increase proposed in the appendix tabled at today's meeting but that the figures be rounded up to the nearest £5. Mr Cooper seconded and the Board unanimously agreed.

The Chair said that as this was the last scheduled meeting of the Board he wished to thank Members for their attendance and commitment to conducting the business of the board in a proper and consistent manner. The Chair also thanked the Police and Officers for their attendance and assistance, and the Vice-Chair for his unstinting support.

The Vice-Chair thanked the Chair for the way he had headed up the Board in an open, transparent way that was fair to all applications. The Board concurred.

The meeting concluded at 11.15am.

Convener