

**Shetland Islands Area Licensing Board
Council Chamber, Town Hall, Lerwick
Tuesday 15 January 2019 at 10 a.m.**

Present:

M Bell A Cooper
C Hughson S Leask
I Scott C Smith
G Smith B Wishart

Apologies:

None

In Attendance (Officers):

P Wishart, Solicitor
H Licquorice, Licensing Standards Officer
Insp. Brill, Police Scotland
L Malcolmson, Committee Officer

Chairperson

Mr I Scott, Convener to the Board, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

Mr G Smith declared a non-pecuniary interest in item 1.1(a) "Sandwick Social Club" and advised that he would leave the room.

(Mr G Smith left the Chamber)

1. **Application under the Licensing (Scotland) Act 2005**

1.	<u>Application for Extension of Licensed Hours</u>	<u>Decision</u>
(a)	<p><u>Sandwick Social Club</u> The Solicitor introduced the application and advised that Mr N Martin, representative for the Sandwick Social Club was present.</p> <p>Mr C Smith advised that this event had been running for a number of years and was well organised. He moved that the Board approve the grant of an Extension of Licensed Hours, Mr Cooper seconded and the Board concurred.</p>	GRANTED

(Mr G Smith returned to the Chamber)

2 **Gambling Act 2005 – New Three Year Policy Statement – 2019-2022**

The Depute Clerk presented a report that invited the Board to conclude their review of the Statement of Gambling Licensing Principles and adopt their reviewed policy with effect from 31 January 2019.

The Solicitor introduced the report and advised that there had not been many responses from the consultation process which was not unsurprising as there is only one licensed gambling establishment in Lerwick. He noted however the comments from the NHS and the general UK level concerns expressed.

During questions comment was made that a Local Area Profiling exercise noted in recommendation a) was disproportionate and would put additional pressure on staff. In terms of recommendation b) it was questioned how, if put into policy, it would be policed as the onus would be on the premises owner to decide who was vulnerable. The Solicitor advised that it was reasonable to put the onus on the premises owner as similarly this was already in place for alcohol licensing policy.

(Mr Cooper left the meeting)

Mr Bell advised that he did not support 3.1a but stated that recommendation 3.1b was sensible to make gambling establishments responsible with it written in policy to identify where people are vulnerable and to signpost them to the appropriate agencies. Mr Bell moved that the Board approve recommendation 3.1b and 3.1c only. Mr Leask seconded.

Mr G Smith said he agreed with the removal of 3.1a but 3.1b was difficult to put into effect as there was no definition for “vulnerable”. He said that this would be subjective interpretation and would be difficult to monitor or handle objectively. Mr Smith said that he did not see the benefit of recommendation b and moved that the Board approve paragraph 3.1c only. Mrs Hughson seconded.

Following summing up voting took place with a show of hands and the results were as follows:

Amendment (Mr G Smith)	2
Motion (Mr Bell)	4
Abstentions	1

Decision:

The Board agreed to:

- amend clause 15.16 by adding in the following or such other wording as the Board see fit

“The Board expects an applicant for a premises licence to have a policy in place to identify persons who might be regarded as vulnerable persons and procedures for referring them to suitable support agencies.”; and

- adopt the current Statement of Gambling Licensing Principles as the Statement of Gambling Licensing Principles for the period 2019-2022 with effect from 31 January 2019.

The meeting concluded at 10.20am.

Convener