

**Shetland Islands Area Licensing Board  
Council Chamber, Town Hall, Lerwick  
Wednesday 11 November 2019 at 10am**

**Present:**

M Bell                      C Hughson  
S Leask                    I Scott  
C Smith                    G Smith

**Apologies:**

A Cooper

**In Attendance (Officers):**

P Wishart, Solicitor  
D Manson, Licensing Standards Officer  
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**

None

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None

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

1.	<b><u>Application for Variation other than a Minor Variation of Premises Licence</u></b>	<b><u>Decision</u></b>
(a)	<p><u>R S Henderson, Cullivoe, Yell</u></p> <p>The Solicitor introduced the application and advised that the applicant was not present. He explained the change and proposed increase in layout of the display area. He circulated plans to demonstrate the change and rearrangement of the area, and advised that the Board were asked to consider whether to refuse or grant the application.</p> <p>Mr Leask moved that the Board approve the application for a variation other than a minor variation of Premises Licence. Mr C Smith seconded.</p>	GRANTED
2.	<b><u>Application for Extension of Licensed Hours</u></b>	
(a)	<p><u>Shetland Arts Development Agency</u></p> <p>The Solicitor introduced the application and advised that the applicant's representative was present. He explained that the application had been made in the same terms as was considered the previous year. He advised that the Board were asked to consider if this was a special event or occasion</p>	GRANTED

	<p>of local or national significance, and whether to refuse or grant the application.</p> <p>Mr Bell said that the Hogmanay Celebrations had been a successful and well attended event last year and moved that the Board approve the application for an Extension of Licensed Hours. Mr G Smith seconded.</p>	
3.	<b><u>Application for Occasional Licence</u></b>	
(a)	<p><u>Amanda Arcus</u></p> <p>The Solicitor introduced the application and advised that there were two representatives present. He advised that the Board were to consider whether to refuse or grant the application.</p> <p>In responding to questions, the Solicitor advised that the application was for an occasional event and therefore whether it was of local or national significance was not a factor to be considered.</p> <p>When asked, the representative advised that the 2am end time had been considered in order to keep everyone in one place rather than them to then seek to gain entry into other venues. The Board were advised that this was a ticketed event and names of those attending were being collected. It was also noted that the event would be stewarded and door staff would be providing wrist bands upon entry.</p> <p>Mrs Hughson moved that the Board approve the application for an occasional licence. Mr G Smith seconded.</p> <p>Mr Bell however expressed concern at the risk of adding time to drinking up time and said that the Board needed to be careful and stay within policy unless there was a good reason not to. He suggested that to push the boundaries of the policy each time would see an increase in applications for later opening hours. Mr Bell moved that the Board refuse the application for an occasional licence. In seconding, Mr Leask stated that the reasons for the extended hours were lame and the event in Lerwick would not have the same safety concerns as rural community halls.</p> <p>During debate, Mr G Smith said that the event was being held a week earlier than the other Christmas events covered under the General Extensions to be considered under the next agenda item. He said that this was not an unreasonable application and that having already argued in the past on the matter of extensions for public halls he said that unless there was a specific licensing objective saying that the application cannot be approved he was not aware of any policy objective that would make this an unsuitable application to grant.</p> <p>Further debate heard that although there were reservations on both sides it was preferable that attendees stay in one building and it was also viewed that the safety concerns should apply to any event whether in Lerwick or in the rural areas.</p>	GRANTED

	Following summing up voting took place with a show of hands, and the results were as follows:	
	Amendment (Mr Bell)	2
	Motion (Mrs Hughson)	4

2. **Christmas and New Year Licensing Hours 2019/20**

The Board considered a report by the Depute Clerk to the Board that presented the Christmas and New Year Licensing Hours for 2019/20.

In his introduction, the Solicitor advised that this report was set out the same terms as in previous years.

Mr Bell said that this general extension had worked well to avoid multiple applications and moved that the Board approve the recommendations in the report. Mr C Smith seconded.

The meeting concluded at 10.25am.

Convener