

Minute

Orkney Islands Area Licensing Board

Thursday, 3 June 2021, 11:30.

Microsoft Teams.



Present

Duncan A Tullock, Barbara Foulkes, Alexander G Cowie, Norman R Craigie, Robin W Crichton, Steven B Heddle, J Harvey Johnston and Owen Tierney.

Clerk

- Gavin Mitchell.

In Attendance

Orkney Islands Council:

- Paul Turner, Acting Environmental Health Manager and Licensing Standards Officer.
- Elaine Sinclair, Legal Clerk.
- Angela Kingston, Committees Officer.

Observing

- David Hartley, Communications Team Leader.

Apology

- Sergeant Richard Morris, Police Scotland.

Declarations of Interest

- No declarations of interest were intimated.

Chair

- Duncan A Tullock.

1. Draft Minute of Meeting held on 4 March 2021

After consideration of the draft Minute of the Meeting of the Orkney Islands Area Licensing Board held on 4 March 2021, copies of which had been circulated, the Board:

Resolved, on the motion of Duncan A Tullock, seconded by Barbara Foulkes, that the Minute of the Meeting of the Orkney Islands Area Licensing Board held on 4 March 2021 be approved as a true record.

2. Combined Annual Functions and Financial Report 2020/21

After consideration of a report by the Clerk to the Board, copies of which had been circulated, the Board:

Noted:

2.1. That, with effect from 15 May 2017, licensing boards had been required to publish an annual financial report in relation to the exercise of their functions in terms of the Licensing (Scotland) Act 2005, within three months of the end of the relevant financial year.

2.2. That, with effect from 20 December 2017, licensing boards had been required to publish an annual functions report in terms of the Licensing (Scotland) Act 2005, within three months of the end of the relevant financial year.

2.3. The combined annual functions and financial report for the Licensing Board for financial year 2020/21 in terms of the Licensing (Scotland) Act 2005, attached as Appendix 1 to the report by the Clerk to the Board.

3. Ian and Morag Smith and Jenna Simison

Application for Variation of Premises Licence

Jenna Simison, representing the applicant, Ian and Morag Smith and Jenna Simison, was present during consideration of this item.

After consideration of a report by the Clerk to the Board, copies of which had been circulated, the Board:

Noted:

3.1. That a premises licence had been held at Robertsons Coffeehouse and Bar, Church Road, St Margaret's Hope, since 3 June 2016, by Ian and Morag Smith and Jenna Simison (the applicants).

3.2. That, on 6 April 2021, the applicants submitted an application for a variation of the premises licence, which sought the following:

- Amendment of the layout within the premises to comply with COVID-19 restrictions.
- An increase in the extent of the licensed premises by the inclusion of an additional outdoor seating area with two tables and four trestles.

3.3. That no objections or representations had been received in respect of the application from the applicants for a variation of the premises licence in respect of Robertsons Coffeehouse and Bar, Church Road, St Margaret's Hope.

After hearing representations from Jenna Simison in support of the application for a variation of the premises licence in respect of Robertsons Coffeehouse and Bar, Church Road, St Margaret's Hope, on the motion of Robin W Crichton, seconded by Barbara Foulkes, the Board:

Resolved:

3.4. That the application from Ian and Morag Smith and Jenna Simison for a variation of the premises licence in respect of Robertsons Coffeehouse and Bar, Church Road, St Margaret's Hope, be granted, as follows:

- Amendment of the layout within the premises to comply with COVID-19 restrictions.
- Increase the extent of the licensed premises by inclusion of an additional outdoor seating area with two tables and four trestles.
- Increase the outdoor on-sale capacity of the premises by 12 persons, from 20 persons to 32 persons.
- Increase the areas accessible by children and young persons with the inclusion of the additional outdoor seating area.

4. Bayleaf Delicatessen LLP

Application for Premises Licence

Gavin Warnock and Lauren Thomson, applicants, and Serena Sutherland, representing the applicants, were present during consideration of this item.

After consideration of a report by the Clerk to the Board, copies of which had been circulated, the Board:

Noted:

4.1. That, on 13 April 2021, Bayleaf Delicatessen LLP submitted an application for a premises licence in respect of Bayleaf Delicatessen, 103 Victoria Street, Stromness.

4.2. That the application was for off-sale operations only and requested the following:

- Off-sale operating hours as follows:
 - 10:00 to 22:00 on Mondays to Sundays inclusive.
- Off-sale capacity of 1.773 square metres.

4.3. That no objections or representations had been received in respect of the application from Bayleaf Delicatessen LLP for a premises licence in respect of Bayleaf Delicatessen, 103 Victoria Street, Stromness.

After hearing representations from Serena Sutherland, representing the applicants, and from Gavin Warnock and Lauren Thomson, applicants, in support of the application from Bayleaf Delicatessen LLP for a premises licence in respect of Bayleaf Delicatessen, 103 Victoria Street, Stromness, on the motion of Barbara Foulkes, seconded by Norman R Craigie, the Board:

Resolved:

4.4. That the application from Bayleaf Delicatessen LLP for a premises licence in respect of Bayleaf Delicatessen, 103 Victoria Street, Stromness, be granted, as follows:

- Off-sale operating hours as follows:
 - 10:00 to 22:00 on Mondays to Sundays inclusive.

- Off-sale capacity of 1.773 square metres.

5. Emily V Smith

Application for Premises Licence

After consideration of a report by the Clerk to the Board, copies of which had been circulated, the Board:

Noted:

5.1. That, on 14 April 2021, Emily V Smith submitted an application for a premises licence in respect of Emily's Tearoom and Restaurant, Mill House, Lyness.

5.2. That the application was for on-sale operations for the Tearoom and Restaurant and off-sale operations for the craft and gift shop which formed part of the premises, as follows:

- On-sale operating hours as follows:
 - 12:00 to 23:00 on Mondays to Saturdays inclusive.
- On-sale capacity of 20 persons.
- Off-sale operating hours as follows:
 - 10:00 to 22:00 on Mondays to Saturdays inclusive.
- Off-sale capacity of 2.25 square metres.

5.3. That no objections or representations had been received in respect of the application from Emily V Smith for a premises licence in respect of Emily's Tearoom and Restaurant, Mill House, Lyness.

5.4. That the applicant had advised that, due to the business being busy and having no cover, she was unable to attend for consideration of this item.

On the motion of Duncan A Tullock, seconded by Barbara Foulkes, the Board:

Resolved:

5.5. That the application from Emily V Smith for a premises licence in respect of Emily's Tearoom and Restaurant, Mill House, Lyness, be granted, as follows:

- On-sale operating hours for the Tearoom and Restaurant as follows:
 - 12:00 to 23:00 on Mondays to Saturdays inclusive.
- On-sale capacity for the Tearoom and Restaurant of 20 persons.
- Off-sale operating hours for the craft and gift shop as follows:
 - 10:00 to 22:00 on Mondays to Saturdays inclusive.
- Off-sale capacity for the craft and gift shop of 2.25 square metres.

6. Conclusion of Meeting

At 11:58 the Chair declared the meeting concluded.

Signed: Duncan A Tullock.