

Minute

Orkney Islands Area Licensing Board

Tuesday, 9 October 2018, 12:00.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

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:

- Gillian Morrison, Executive Director of Corporate Services.
- David Brown, Environmental Health Manager and Licensing Standards Officer.
- Lillian Rendall, Legal Clerk.
- Hazel Flett, Senior Committees Officer.

Police Scotland:

- Chief Inspector Matthew Webb.

Observing

- Andrew McGinn, Convener, Local Licensing Forum.

Apology

- Duncan A Tullock.

Declaration of Interest

- Robin W Crichton – Item 4.

Chair

- Barbara Foulkes, Vice Chair.

1. Draft Minute of Meeting held on 23 August 2018

After consideration of the draft Minute of the Meeting of the Orkney Islands Area Licensing Board held on 23 August 2018, copies of which had been circulated, the Board:

Resolved, on the motion of Robin W Crichton, seconded by J Harvey Johnston, that the Minute of the Meeting of the Orkney Islands Area Licensing Board held on 23 August 2018 be approved as a true record.

2. Equality Outcomes

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

Noted:

2.1. That the Board's current Equality Outcomes were published in April 2013.

2.2. That, in April 2017, it was agreed to extend the Board's current Equality Outcomes for a further year, with a full review to be undertaken in 2018 at the same time as the review of the Council's equality outcomes.

2.3. That a review of recent equality research published by a variety of bodies, including the Scottish Government and Equality and Human Rights Commission Scotland, had informed development of the Equality Outcomes.

2.4. The proposed revised Equality Outcomes 2018 to 2022, attached as Appendix 1 to the report by the Clerk to the Board which reflected:

- Priorities of The Orkney Partnership and The Council Plan.
- National priorities set by the Scottish Government.
- New duties arising from recent legislation changes.

2.5. That each Equality Outcome had a number of actions listed to indicate the work which would be undertaken to achieve that outcome and measures to evidence progress.

The Board resolved:

2.6. That the Equality Outcomes 2018 to 2022, attached as Appendix 1 to this Minute, be approved.

3. Review of Statement of Gambling Policy

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

Noted:

3.1. That the Board's Statement of Gambling Policy, which was adopted on 8 October 2015, required review.

3.2. The draft revised Statement of Gambling Policy, attached as Appendix 1 to the report by the Clerk to the Board, which had been generally updated to:

- Satisfy online web-accessibility standards.
- Provide complete numbering identification for each paragraph and sub-paragraph.
- Follow a style similar to the Board's Statement of Alcohol Licensing Policy in so far as practicable or relevant.

The Board resolved:

3.3. That, subject to minor amendments and additions proposed by members of the Board, the draft revised Statement of Gambling Policy, referred to at paragraph 3.2 above, be approved for consultation.

3.4. That the Clerk to the Board should submit a report, to the meeting of the Board to be held on 24 January 2019, on the outcome of the consultation, referred to at paragraph 3.3 above, together with a final version of the Statement of Gambling Policy for adoption.

4. Tracy Groves

Application for Provisional Premises Licence

Tracy Groves, applicant, and Alex Findlater, accompanying the applicant, were present during consideration of this item.

Robin W Crichton declared a non-financial interest in this item, in that a close family member operated licensed premises in the near vicinity, and was not present during discussion thereof.

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

Noted:

4.1. That Tracy Groves had submitted an application for a provisional premises licence in respect of 18 Shore Street, Kirkwall.

4.2. That the premises were to be converted for use as licensed premises.

4.3. That the application was for both off-sale and on-sale operating hours, within those permitted in terms of the Board's Statement of Alcohol Licensing Policy, as follows:

- Off-sale operating hours – 10:00 to 22:00 on Mondays to Sundays inclusive.
- On-sale operating hours:
 - 10:00 to 00:00 on Sundays to Thursdays inclusive.
 - 10:00 to 01:00 on Fridays/Saturdays and Saturdays/Sundays.

4.4. That the off-sale capacity sought was 0.54 square metre.

4.5. That the on-sale capacity sought was for 20 persons, comprising the following:

- 11 persons inside.
- 9 persons outside.

4.6. That no objections or representations had been received in relation to the application from Tracy Groves for a provisional premises licence in respect of 18 Shore Street, Kirkwall.

After hearing representations from Tracy Groves in support of her application for a provisional premises licence in respect of 18 Shore Street, Kirkwall, J Harvey Johnston, seconded by Owen Tierney, moved that the application be deferred to enable members of the Board to undertake a visit to the site.

Barbara Foulkes, seconded by Steven B Heddle, moved an amendment that the application from Tracy Groves for a provisional premises licence in respect of 18 Shore Street, Kirkwall, be approved.

On a vote being taken 4 members voted for the amendment and 2 for the motion, and the Board:

Resolved:

4.7. That the application from Tracy Groves for a provisional premises licence in respect of 18 Shore Street, Kirkwall, be granted, as follows:

- Off-sale operating hours – 10:00 to 22:00 on Mondays to Sundays inclusive.
- On-sale operating hours:
 - 10:00 to 00:00 on Sundays to Thursdays inclusive.
 - 10:00 to 01:00 on Fridays/Saturdays and Saturdays/Sundays.
- Off-sale capacity of 0.54 square metre.
- On-sale capacity for 20 persons, comprising the following:
 - 11 persons inside.
 - 9 persons outside.

5. Conclusion of Meeting

At 12:35 the Vice Chair declared the meeting concluded.

Signed: Barbara Foulkes.