

## **Minute**

### **Orkney Islands Area Licensing Board**

Thursday, 23 August 2018, 10:30.

Council Chamber, Council Offices, School Place, Kirkwall.



### **Present**

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

### **Clerk**

- Gavin Mitchell.

### **In Attendance**

#### **Orkney Islands Council:**

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

#### **Police Scotland:**

- Inspector Keith Bendall.

### **Apologies**

- Steven B Heddle.
- Owen Tierney.
- Andrew McGinn, Convener, Local Licensing Forum.

### **Declarations of Interest**

- No declarations of interest were intimated.

### **Chair**

- Duncan A Tullock.

## **1. Draft Minute of Meeting held on 28 June 2018**

After consideration of the draft Minute of the Meeting of the Orkney Islands Area Licensing Board held on 28 June 2018, copies of which had been circulated, the Board:

Resolved, on the motion of Duncan A Tullock, seconded by Robin W Crichton, that the Minute of the Meeting of the Orkney Islands Area Licensing Board held on 28 June 2018 be approved as a true record.

## **2. Alcohol Licensing and Gambling – Functions Report**

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

Noted the report in relation to the exercise of the Board's functions in terms of the Gambling Act 2005 and the Licensing (Scotland) Act 2005, for the period from 1 July 2017 to 30 June 2018, attached as Appendix 1 to the report by the Clerk to the Board.

## **3. Pickaquoy Centre Trust**

### **Application for Variation of Premises Licence**

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 Pickaquoy Centre and Campus, Muddisdale Road, Kirkwall, since 1 September 2009, firstly by Mark R Harrison and then by Pickaquoy Centre Trust.

**3.2.** That Pickaquoy Centre Trust had submitted an application for a variation of premises licence held in respect of Pickaquoy Centre and Campus, Muddisdale Road, Kirkwall, which sought approval of updated layout plans to reflect changes to the Centre building by construction of new areas and changed uses of areas within the building carried out within recent years.

**3.3.** That no objections or representations had been received in respect of the application from Pickaquoy Centre Trust for a variation of the premises licence in respect of Pickaquoy Centre and Campus, Muddisdale Road, Kirkwall.

**3.4.** That, although Pickaquoy Centre Trust had been invited to attend the meeting, no representative was present.

The Board resolved:

**3.5.** That the application from Pickaquoy Centre Trust for a variation of the premises licence in respect of Pickaquoy Centre and Campus, Muddisdale Road, Kirkwall, be granted, as follows:

- Updated layout plans to reflect changes to the Centre building by construction of new areas and changed uses of areas within the building carried out within recent years.

## **4. K H Orkney Ltd**

### **Application for Variation of Premises Licence**

Christopher John, Chief Operating Officer, K H Orkney Ltd, and Leanne Rendall, General Manager and registered Premises Manager, 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 a premises licence had been held at Kirkwall Hotel, Harbour Street, Kirkwall, since 1 September 2009, firstly by Mrs Debra M Low, then by Kirkwall Hotel Ltd and then by K H Orkney Ltd.

**4.2.** That the premises were currently licensed for on-sale and off-sale operating hours as follows:

- On-sale operating hours:
  - 11:00 to 00:00 on Mondays to Wednesdays inclusive.
  - 11:00 to 01:00 on Thursdays/Fridays to Saturdays/Sundays inclusive.
  - 12:00 to 00:00 on Sundays.
  - 01:00 any morning for private functions; when an event related to a local festival is being held within the premises; or for the festive season.
- Off-sale operating hours:
  - 11:00 to 22:00 on Mondays to Saturdays inclusive.
  - 12:00 to 22:00 on Sundays.

**4.3.** That K H Orkney Ltd had submitted an application for a variation of premises licence held in respect of Kirkwall Hotel, Harbour Street, Kirkwall, which sought the following:

- Inclusion of outdoor area, on the pavement adjacent to the premises, within the premises licence.
- Provision of outdoor drinking facilities during the hours of 11:00 to 22:00 daily.
- Increase to the on-sale capacity of the premises by 24 persons, from 398 to 422, with the inclusion of the outdoor area.
- Increase to areas accessible by children and young persons with the inclusion of the outdoor area.
- Amendment to on-sale operating hours on Sundays, from 10:00 to 00:00.
- Amendment to off-sale operating hours on Sundays, from 10:00 to 22:00.

**4.4.** That no objections or representations had been received in respect of the application from K H Orkney Ltd for a variation of the premises licence in respect of Kirkwall Hotel, Harbour Street, Kirkwall.

After hearing representations from Christopher John and Leanne Rendall in support of the application for variation of the premises licence in respect of Kirkwall Hotel, Harbour Street, Kirkwall, the Board:

Resolved:

**4.5.** That the application from K H Orkney Ltd for a variation of the premises licence in respect of Kirkwall Hotel, Harbour Street, Kirkwall, be granted, as follows:

- Inclusion of outdoor area, on the pavement adjacent to the premises, within the premises licence.
- Provision of outdoor drinking facilities during the hours of 11:00 to 22:00 daily.
- Increase to the on-sale capacity of the premises by 24 persons, from 398 to 422, with the inclusion of the outdoor area.
- Increase to areas accessible by children and young persons with the inclusion of the outdoor area.
- Amendment to on-sale operating hours on Sundays, from 10:00 to 00:00.
- Amendment to off-sale operating hours on Sundays, from 10:00 to 22:00.

## **5. Conclusion of Meeting**

At 10:45 the Chair declared the meeting concluded.

Signed: Duncan A Tullock.